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- ART. I.—1. *A Library of Fathers of the Holy Catholic Church, anterior to the division of the East and West, translated by Members of the English Church. “Yet shall not thy teachers be removed into a corner any more, but thine eyes shall see thy teachers.”* Is. xxx. 20. Oxford. Vol. II.
2. *The Catechetical Lectures of St. Cyril, Archbishop of Jerusalem; translated with Notes and Indices.* Oxford, John Henry Parker. London, J. G. & F. Rivington, 1838.

IT is delightful in these days, when consideration of the daily additions made to the comforts of social life by new inventions, and to learning, by unceasing discoveries in every branch of natural science, has almost banished from our minds the memory of good things bequeathed to us by antiquity, to see public attention called to the valuable stores laid up for us in bye-gone days, in the imposing array of the title of the work before us. But, it is more delightful still, to hear, in this country, where, for three centuries, impatience of control, and a mistaken zeal for truth, have broken into a thousand jarring fragments, the one faith delivered us from on high, that text, “Thy teachers shall not be removed into a corner any longer, but thine eyes shall see thy teachers,” applied to that body of instructors who were, in their days, the champions of Catholic truth and unity. So congenial to the spirit and practice of the Catholic Church in all ages, was the first appearance of the title and project of the work,—so much at variance with the general character of the principles of the Reformation, that had not the peculiar religious persuasion of the translators and editors been inserted in the title-page, we should have attributed the design to some members of our own communion.

Not small, then, was our surprise, in casting a hasty glance over the project of the work, to find that “especial charity” for *us*, was among the leading motives that induced the

editors of the *Library* to undertake their work. That it was intended as a lighthouse to save *us* from running on *the rocks of secret infidelity*—a sign-post to direct *us* into the narrow path of truth, hitherto hidden from the eyes of ordinary observers by the cross shadows cast over it by the rival fabrics of *modern Rome*, and ultra Protestantism.* For the eleventh *chief ground*, for thinking the publication of the *Library* to be very desirable, is as follows:—

“The great danger in which Romanists are, of lapsing into secret infidelity, not seeing how to escape from the palpable errors of their own Church without falling into the opposite errors of ultra Protestants;—it appeared an act of especial charity to point out to such of them as are dissatisfied with the state of their own Church, a body of ancient Catholic truth, free from the errors alike of modern Rome and ultra Protestantism.”—*Prospectus*, No. 11.

Might not some dull-headed members of our Church inquire, wherein consisted this peculiar liability to infidelity in the Catholic profession of faith? The simplicity of the system, and the clearness of the line which marks its pale, might appear, in his uninitiated eye, to be an argument for just the opposite conclusion. “If I believe,” he would say, “that God has promised to guide and keep secure from error in faith that body of men, who, in each successive generation, form the teachers of the Church, I can have no doubts nor difficulties in subscribing without individual examination, to whatever is presented for my acceptance by this living body of men. If I believe not in this one point, I am no longer a Catholic; having entered my protest against what I should then have conceived to be the fundamental error and usurpation of the Catholic creed. I cannot surely be tossed about on the waves of uncertainty, till, by relinquishing the footing I have upon this rock of infallibility, I am precipitated into the restless ocean of interpretations not guaranteed by Infinite Truth. Then, perhaps, I might harass my mind with conflicting systems of belief, till I came to the conclusion, that they were all wrong; that as the necessity of faith without the necessary articles of faith, would be a mere chimera, a just God, who had given mankind no unerring source of information upon individual articles, would never exact from them an unwavering faith upon such points. Have I not thus, between me and infidelity, at least the whole breadth of Protestantism;—whether, embracing it in its ordinary acceptation, I frame a religion

* For the character of ultra, or common English Protestantism, see Newman's “Lectures delivered in St. Mary's Church, Oxford.”

from my own interpretation of sacred writ; or, adopting the views taken by the followers of the *via media*, I construct a system of faith upon my own interpretation of the testimony borne by the Fathers to the meaning of the Scriptures." Perhaps our querist might quote the implied authority of the editors themselves, for concluding that he stood less in need than his neighbours of this *especial act of charity*. Is not the narrowness of religious views experienced in England, from want of communication on religious subjects with other parts of the world, arising from the incompatibility of their doctrines,—the fourth chief ground for the publication of the *Library*? In the words of the Prospectus, No. 4,—

"Every body of Christians has a peculiar character, which tends to make them look upon the system of faith committed to us, on a particular side; and so, if they carry it on by themselves, they insensibly contract its limits and depth, and virtually lose a great deal of what they think they hold.. While the system of the Church, as expressed by her creeds and liturgy, remains the same, that of her members will gradually become contracted and shallow, unless continually enlarged and refreshed. In ancient times this tendency was remedied by the constant living intercourse between the branches of the Catholic Church, by the circulation of the writings of the Fathers of the several Churches; and in part, by the present method—translation. We virtually acknowledge the necessity of such accessions by our importations from Germany and America; but the circumstances of Germany render mere translation unadvisable, and most of the American theology proceeds from bodies who have altered the doctrine of the Sacraments."

"This would be a very cogent reason," our querist would continue, "for giving a translation of ancient writers to a people shut up within the bounds of a narrow island, and precluded by their peculiar tenets from religious communication with their neighbours, on the principle, that all races, rational and irrational, will degenerate if confined to intercourse between too limited a number of individuals of their species. But what reason have I to partake in the fear of such a catastrophe? Is not the constant living intercourse between all parts of the Catholic Church still kept up by the circulation of the writings of the pastors, and pious and learned men? Are not our booksellers' shops filled with the originals, or translations, of Catholic writers, from every corner of the world? Would any bookseller in England, or on the Continent, misunderstand me, if I were to enquire if such a work on religion were by a Catholic or not? and when he had answered me, that it *was*; would he think that any farther questions I might

put on the country of the author, had any reference to the doctrinal tenets of the production?"

Pray turn again to the Prospectus, and read the fifth chief ground for the desirableness of the publication of the *Library*:—

“The value of having an ocular testimony of the existence of Catholic verity, and Catholic agreement; that truth is not merely what a man troweth that the Church once was one, and spake one language, and that the present unhappy divisions are not necessary and unavoidable.”

“Have I not, then, my own ocular and auricular testimony to Catholic verity, and Catholic agreement? Do I not see and hear, from friends and enemies, that the Catholic Church is yet one, and yet speaketh one language? That the same Catholic doctrine I hear in Moorfields’ Chapel, is taught in the Catholic chapels and churches throughout Europe, Asia, Africa, and America, by pastors united into one hierarchy, under one visible head? That there are, indeed, separatists from this one fold, now, as there have been from the beginning; but is Catholic unity dissolved now, though unshaken then, because it happens that the names, the doctrines, or the countries inhabited by the separatists, are altered? Are German Rationalists, of the nineteenth century, more prejudicial to Catholic unity, than their still more numerous prototypes, the Gnostics, of the three first centuries? Are the Socinians of Geneva more powerful to destroy Catholic unity, than the Alexandrian Arians? Or, is the adhesiveness of our Church less proof against a defection by law established in England, than it was against the much more extensive defection of the Donatists in Africa, in those days *when the Church was one*? But if the Church is still one in doctrine and communion, and if it be but the lopped branches that are changed, will it not be more to my purpose, and more according to the spirit of antiquity, to seek in the writings of the day, whether native or foreign, the safeguards against the dangerous tenets of my own time on the writings of contemporaries, and instructions how to conduct myself in the circumstances of this generation; than to study the arguments against errors to which I am no longer exposed, and cautions against temptations by which I am no longer surrounded? Is it more rational to seek answers to the Manichees in St. Augustine, and declamations against Pagan amusements in St. Cyril; or to study the sophisms of modern infidels in the conferences of Freysinous, and meditate upon the vices to

which I am exposed, and the virtues most required, in the actual state of society, with Mac Carthey, and other preachers and writers of the age? If the latter, then I have the authority, also, of the third, fifth, and sixth *chief reasons*, for the publication of the *Library*, to show that the ‘act of charity’ was not ‘especially’ calculated for me.” But, leaving our querist to solve the enigma he has proposed, as best pleases him, let us give ear to his neighbour, who appears anxious to make some observation. It is a foreign Catholic, anxious to learn what new treasures of antiquity have been discovered in England,—what Mai has been at work in the dusty archives of Oxford, to collect materials from which to *point out a body of ancient Catholic doctrine*, hitherto unknown to his fellow-communicants. He tells us, he has read the list appended to the prospectus of works already published—in the press—and preparing for publication; but has found no title, at least, of author or work, which he has not been taught from a child, to consider as forming part of that chain of tradition from which his instruction was derived. Shall we tell him, that to his fellow-Catholics in England the existence of this body of truth was unknown? But every class of our religion will rise up against the insinuation. The theologians will request us to examine the contents of their libraries; the educated portion of our laity, will refer us to the most usual book of religious reading in their use—*Alban Butler’s Lives of Saints*, in which the most ample and learned accounts of these works are detailed. The very peasant, from his cabin in the bog, would bear testimony against us; crying out, that he and his fathers, for three hundred years, have been rated by the Protestants for believing in his priest, and the old Fathers, rather than the word of God. Shall we tell him, that till now, these sources of information have indeed been held out to him as the vouchers for the truth, or the orthodoxy of his teachers, but that they have been carefully kept far beyond his reach, inaccessible to the dissatisfied enquirer after truth? He will weary us with an endless catalogue of public libraries and private collections, where they are to be found at all hours, open to the inspection of every comer, and decked out in every form that can attract the critical enquirer, or aid his investigation. He will point out to us the various translations of large portions of these works into modern tongues;* executed to satisfy those who wanted not to enter upon a doctrinal or antiquarian investi-

* Such as Guillon’s Translation into French,—Branchini’s into Italian, &c. &c.

gation, (for in this, something more than the bare text would be required); but to occupy their leisure hours in the perusal of edifying discourses.

Shall we leave him to conclude, that the body of doctrine *now pointed out*, is to be found in the combined effects of such a selection of detached works, such a translation, and such explanatory notes and prefaces, as to present a series of ancient writers, arrayed in the support of doctrines hitherto unknown to the Catholic world? The character of the editors is a full guarantee against the intentional production of any such result. Whether the system they have chalked out to themselves may not tend to this purpose, independently of their own desires, is a question we shall have occasion to examine farther on. May not the most probable solution of the stranger's difficulty be presented to him, by offering a counter demand? Let us ask him, if, when struck with admiration on his first arrival in our country, at the innumerable specimens around of the perfection to which art was carried in all the details of life, he did not feel frequently inclined to call upon his English companion to share in his astonishment; as if the scene had been novel to him also? His answer will probably remind him, how easy it might be for men, awaking, as it were, after centuries, to the discovery of treasures hidden under lumber in their own storehouses, to forget, in their joy, that the rest of the world had been continuing its ordinary train; and was incapable of participating in the feelings of those who had only just now discovered the advantages which constant usage had habituated their neighbours to contemplate without emotion.

But, whatever may be our opinions on the logic of the particular motives alleged by Messrs. Pusey, Keeble, and Newman, in its favour, we congratulate them upon the undertaking; and agree fully in the principle, that the attention of this country cannot be too earnestly called to the study of ecclesiastical antiquity. Let us examine, whether the direction likely to be given to this study, by the plan adopted in the publication of the *Library*, is such as to answer the great end to which ecclesiastical antiquity ought to be made serviceable. We will, for this purpose, take a rapid survey of the object to be attained by the study of the Fathers; and the method required to secure its attainment: we will then examine, how the principles, and the system adopted, by the editors of the *Library*, are adapted to answer the object proposed: and, finally, in the review of the specimen before us,

we will consider the working of those principles and this system, in the details of execution.

Concurring entirely with the editors, in the hermeneutical principle on which the utility of the study of the old ecclesiastical writers is grounded, we will give it in the words of one of their number, from the preface to the translation of St. Cyril, p. vii.—

“The works to be translated, have been viewed simply and plainly, in the light of witnesses to an historical fact, viz.—the religion which the apostles transmitted to the early Churches; a fact to be ascertained, as other past facts, by testimony requiring the same kind of evidence; moral, not demonstrative; open to the same difficulties of proof, and to be determined by the same practical judgment. It seems hardly conceivable, that a fact so public, and so great, as the religion of the first Christians, should be incapable of ascertainment,—at least in its outlines; that it should have so passed away, like a dream, that the most opposite* opinions may, at this day, be maintained about it, without possibility of contradiction. If it was soon corrupted, or extinguished, then it is obvious to enquire after the history of such corruption, or extinction: such a revolution everywhere, without historical record, being as unaccountable as the disappearance of the original religion for which it is brought to account. At first sight, there is, to say the least, a considerable antecedent improbability in the notion, that whereas, we know the tenets and history of the stoic, or academic philosophy; yet we do not know the main tenets, nor yet the fundamental principles, nor even the spirit and temper, of apostolic Christianity.”

To reduce the argument to a few words: the Christian religion is a fact, not only with respect to its nominal existence, but also to the doctrines in which it consists. It is, then, matter of history; and the same species of examination which leads to the verification of any other historical fact, will be successfully employed in determining the real doctrines of Christianity. We will enquire at a later period, whether, in matter of such high importance to each individual, as the truth of dogmas, without faith in which, salvation is impossible, God has furnished us with no surer, nor less intricate, method of ascertaining the fact, than the ordinary one of historical research. For the present, we are engaged solely in determining, what use is to be made of ecclesiastical writers, in solving the problem of what constitutes the original Christian religion, on common hermeneutical principles. Neither shall we, at present, enter into the merits of the question, whether the whole, or only part, of the Christian dispensation was com-

* See the very singular work “Ancient Christianity,” to which our early attention will be directed.

mitted to words in the inspired writings of the *New Testament*; our immediate discussion having solely in view, the manner in which, *what has been committed to writing*, is to be legitimately interpreted, according to the laws by which the meaning of other documents of antiquity is determined. That the words of Holy Writ are liable to various and contradictory interpretations, no one acquainted in the slightest degree with the state of religion in England, will call in question. The essential imperfection of language creates the liability which the Scriptures have in common with the codes of human laws, and every other written document. For only the author can inform us with certainty, what is the meaning in which he has employed the words in question; and after his time, the difficulties and uncertainty of interpretation increase in the ratio of our removal from the period of the composition; and the changes of language, manners, and customs, which have intervened. To remedy the inconveniences which would arise in the common affairs of life from the contradictory explanations of laws, or other important writings, society has created conventional sources of authoritative interpretation. But, supposing no such authorized expounder of the Scriptures to have been sanctioned by Him who only could give the interpretation of what he inspired, the ordinary rules of criticism alone remain to guide each individual in his researches; but the application of these rules by an individual, can never be completely satisfactory to himself, nor binding upon his neighbour, who, by the light of the same learning, conceives that he has discovered another meaning.

Doubtless, could we produce historical evidence that any particular body of doctrines was held by those who heard the exposition of the law from its founders; that the succeeding generation held the same doctrines, testifying that they received them from the preceding one; and so on, in uninterrupted succession, down to our own times,—there could be no hesitation in acquiescing in the decision of such a tribunal, that this body of doctrine was the real sense of the code which was delivered as containing them. Does, then, the outline of Church history afford us ground to hope that such a reduction of Scriptural interpretation into historical fact, can be realized? It does; for in the records of Church history, we have a collection of documents displaying the whole economy of its preceding documents. That at the same time that they delegate to us the state of belief of the Church at their respective periods, show us also the use they are to be turned to by us in the causes of their existence, and the purposes they succes-

sively served. For what is the picture these outlines present? The Apostles, commissioned by our Saviour, and instructed by him, commence the propagation of Christianity, preaching the doctrines they had received. Does a doubt arise in any of the Churches about the import of what has been delivered to them? an Apostle is consulted, and the doubts are solved in his reply. Does a new and more important case arise, on which they had received no directions, or on which the practice of the Apostles not having been uniform, the principle on which it was founded became controverted? a general meeting of the Apostles is convened, and the results of their deliberations published as decisive law. The prejudices of established religious opinions, the theories of extraneous philosophy, or the wilfulness of individual opinions, threaten to adulterate the new doctrines?—the precise line that separates the falsehood from its kindred truth, is distinctly traced out, and the name of the obstinate adherent to error remains as a landmark of the boundaries of sound doctrine, while his person is cast out of the Christian pale, lest he should taint the fidelity of those who are unlearned.

Such is the fashion of Church practice, as represented in the writings of the Apostles and their disciples;—such the origin and form of the leading documents declaratory of the Christian doctrines, supplied by history. The same manner of proceeding is portrayed by their successors in the succeeding generation; formed partly of those who had received their instructions and missions from the Apostles themselves; partly of those who were taught, or invested with the right of teaching others, by the fellow-labourers of the Apostles. In this generation, also, new circumstances raised new doubts; the accession of new members introduced new prejudices; practices that had been received without inquiry, were made the subject of controversy, owing to the principles they involved; and the increasing number of the community brought in its train an additional portion of indocile understandings. The answers to these doubts, the cautions against the influence of these prejudices, the authoritative confirmation of these practices, and the condemnation of the errors of individuals, handed down to us in the monuments of the first and second ages of the Church, are at once the witnesses of the opinions considered as constituting the truths of Christianity; at the time the memorials of the processes adopted by the Church, in preserving inviolable the deposit of faith, and the irrefragable proof of the gradual developement, inasmuch as ex-

ternal profession was required, of the body of Christian doctrines. The example of these generations was copied by those which succeeded; and as the circle comprehended within the pale of the Church increases in the second and third centuries, the monuments bearing witness to her doctrines and unaltered mode of proceeding are multiplied. But two additional features are now presented to our view,—the necessary consequences of the growth of Christianity; rendering more intricate the examination of details, but at the same time more satisfactory the result of our researches. In proportion to the distance of the various portions of the Christian community from one another, and the national and other peculiar characteristics that consequently distinguished them, various were the practices indifferent to faith, adopted by them, and more difficult became the ascertainment of general concurrence on any subject which, yet undefined, gave rise to divided opinions. The free use allowed by the Church of this diversity in matters of discipline,* when faith was untouched, contrasted with the decided tone in which such practices were prohibited, when their observance affected the integrity of faith,† and the maintenance of erroneous opinions by particular districts, followed by no breach of communion with the body of the Church; while such opinions having risen in later days, had not been the subject of dogmatical definition,—contrasted with the inexorable inflexibility with which those were struck off the roll of the faithful, who still adhered to these opinions after they had undergone the ordeal, and were found false,‡ afford us a more decided demonstration of the principle of the unity and authority, by all supposed to be essential to the Church, and monuments more distinct of the state of doctrine at the period, than the most perfect unanimity, and the most express assertions of uncontroverted doctrines, could have left us.

In the fourth century, a new era arose to the Church; Christianity at length triumphed over paganism. The power of the Roman empire lent her its assistance; the learning of the philosopher was ranged under her banner, and her genius unrestrained, developed itself in the institutions accommodated to her new circumstances. Were the principles on which she acted for the conservation of truth altered? The host of writers, and monuments, of the fourth and fifth centuries,

* See Penitential canons, and rules of fasting: and the rest.

† Such as the observance of Easter and the rest.

‡ Rebaptism before and after a general council.

exhibit to us precisely the same substance in a very different form. Many points of Church discipline* are altered, in accordance with its new circumstances. Its enemies are others; for now the Greek philosophy, instead of assailing it as an antagonist, threatens it with destruction, from the consequences of alliance. The school of Alexandria, while it triumphantly crushes the oriental systems of philosophy, which had infested the Church with Gnosticism in the preceding ages, now menaces to subvert the very basis of Christianity, by annihilating, in attempting to explain the mode of the union of the divine and human nature, in its founder. The influence of worldly ambition, and self-seeking, naturally kept possession of many who had embraced Christianity when in power, who would have spurned it if still oppressed. One after another, the new opinions are called before the tribunal of the Church; the traditions of the various portions of its empire are demanded; the records of former days are ransacked; the decision is adopted, and faith is preserved untainted from the foes that are crowding round it, and new terms are added to the profession of the faith, in opposition to the heresies that found shelter under the former simplicity of the expression. The documents of antiquities extant in the fifth century, have, in great part, been preserved down to our own days. The system of proceeding in the Church since then, has been grounded upon the example at that period given; and it would require nothing more than an enumeration of the heresies of each succeeding age, and the respective councils in which they were condemned, to point out the main body of documents by which the Church in each generation has borne testimony to what it considered the deposit it had received. The other documents contained in the writings of individuals treating, either directly or accidentally, on matters bearing upon ecclesiastical history, are to be found in the catalogue of any public library. It would be tedious to attempt the recital, and add nothing to the purpose of our argument; for no one will be inclined to call in question the position, that if we have materials to demonstrate the historical fact of what were the declared opinions of the Church during the four first centuries, and what its mode of proceeding in presenting these opinions to the faithful, there certainly can be no difficulty in continuing the demonstration down to our own times; and that *if the corruption or extinction of the original Christian reli-*

* *Disciplina arcani*, &c., determination of diocesan rights, ceremonies, &c.

gion, without historical record, is unaccountable, during the four first centuries, it becomes much more so at every later period. To prove logically the agreement between any actual body of doctrines of the present day, and those of the fourth century, it would perhaps be necessary to follow up the process we have described in each successive generation, down to our own; inasmuch as the relation we stand in to the documents of the Church of the fourth century, is very similar to that we bear to those of the third, second, and first ages, and even of the days of the Apostles. But it is with the existence of such documents, and the principles on which they are to be employed, that we are at present engaged. We see, then, what each successive generation has left us;—a collection of documents, bearing witness to doctrines professed in its day; and to the belief of having received these doctrines from the generation preceding, and to the process of the gradual developement of the truths of Christianity. What, then, are these documents? In the order of weight of evidence, the first rank must necessarily be held by the public professions of faith of the day, contained in the creeds; in the dogmatical decrees emanating directly from councils, or delivered by individual pastors, and accepted by the whole Church; finally, in the liturgies and usages. The next in importance to these, are the doctrines of the heretics, whose names in general designate the original period of the error, or, at least, of its assigning the stamp of heresy, and whose opinions illustrate the opposite belief of the Church. The third class of documents are the opinions recorded to have been held by individuals who are described as faithful believers, such as pious and learned pastors, martyrs, &c. The fourth class comprehends the testimony borne by other witnesses, as historians, &c., not comprehended in the former class. Various, and of very different characters, are the sources from which we are left to collect this mass of documentary evidence, bequeathed as the testimony of each age. 1st, In coeval monuments, such as inscriptions, painting, sculpture, architecture, &c. Coeval testimony, contained in the authentic writings of the day, whether of friends or foes. 2ndly, Posterior testimony, borne by the monuments and writings of those in the immediately succeeding generations, to the existence and contents of documents which have now disappeared, and the *changes and additions* made during their own day; and, finally, in the testimony of every age down to our own, contained in the opinions, usages, &c., of each, which are inexplicable, save on the supposition

of the principles on which they are founded, having been always held. In a word, the apparatus framed by the laws of criticism for collecting documents for the study of the manners, customs, and opinions, of any other people of antiquity, must be brought into play, in attempting to determine, as an historical fact, the doctrines and manners of any given period of the Christian commonwealth; and as we must be guided by the rules of art in collecting our materials, so also must we submit to their canons, in constructing the fabric to be raised upon that basis. In proportion to the importance of the point to be established, must be the severity of the application of criticism to the sources of information, and the just application of hermeneutics, and the consequence deduced. What, then, is the use to which, on these grounds, the writings of the Fathers ought to be made subservient? and how is the study of them to be conducted? By the Fathers, we understand, in common with general usage, a number of individuals of the early ages of the Church,—most of them pastors, conspicuous for their faith, piety, and learning; some of whose productions have been handed down in writing, in the form of instructions to their flocks, controversy with heretics, expositions of sacred Scripture, correspondence with their acquaintance, ecclesiastical histories. In these writings, three distinct sources of ecclesiastical information are to be considered. 1st, The public documents the authors have preserved, in the form of extracts, references, &c. 2ndly, The events, usages, opinions, and other historical facts, accidentally or professedly narrated in their works. 3rdly, Their own opinions on any subject, manifested in all or any of their writings. Very different processes have been entered into in examining the degrees of value to be attached to the testimony they afford us under these different heads. In the first, it is difficult to suppose either mistaken, or leading into error; and the interpretation of the meaning of the document adduced by them, is the only question we have to examine. In the second, they are to be considered exactly in the light of any other narrator of an event; and the value of their testimony will be in exact proportion to the evidence adduced of the possessing the ordinary qualities required to insure historical credibility. In the third case, a more difficult task is before us; for not only the character, education, and other circumstances, of the writer must be known to us, but we must have an accurate acquaintance with the details of the ecclesiastical history of the period. St. Cyril might say that the Son was like in all

things to the Father, and convey a strictly orthodox opinion ; for though believing with St. Athanasius, he doubted the correctness of that father's expression : his successors, only a few years later, could not have used the expression without agreeing with the heretics, whose symbol it had then become ; while the Catholic Church had established the Athanasian form to be the true one. But, in whatever view we take the testimony of the fathers, they are a portion only of the evidence borne to the opinions of their generation. We must, then, class the three species of evidence they present under their respective heads, in the general classification of our documents, and establish in each case the particular weight to be allowed them. From the balance of every source of testimony in each class, we must pass to the investigation of what is the combined testimony of all the classes ;—then we may deduce a legitimate consequence. The task, under any circumstances, is arduous ; in the peculiar case of the Church, it is rendered far more so. For the problem here to be solved, is not merely what was the opinion expressed in any given age, but how far the expressed opinion of succeeding ages was the real opinion of preceding ones. *Church* writers of the three first centuries, contending with the fatalism of oriental philosophy, cannot be expected to supply us with weapons against Pelagius, whose errors having no existence, then left free scope for the most energetical terms in speaking upon free will. But shall we say that the doctrine of grace, as maintained in the fourth and fifth centuries, was not the faith of the earlier Church ?

Whether it be rational, or even possible, for any individual, or even any body of individuals, to comply with the various conditions demanded by sound criticism, in tracing back, through eighteen centuries, doctrines documented as those of the Christian religion, with that certainty which a rational faith requires, would be an interesting inquiry ; practical for the editors of the *Library*, but theoretical for us. The Catholic Church in no age has attempted it. It has employed the most probable human means for the discovery of truth in the proceedings of its councils ; but it has ever published its decrees and emanations from its authority, and not from the mere force of the arguments it adduced. What the Apostles said, in the council of Jerusalem,—“ It has appeared good to the Holy Ghost and to us,”—has been the motto of every succeeding council. Relying in each succeeding age on the continuance of that promise of assistance, on the authority of

which it had seen each preceding age exacting from the faithful implicit and unwavering confidence in its decisions; the living Church of each generation gradually developed and defined (but did not increase) its creed in opposition to the growing varieties of error. One and the same was the principle of the Councils of Jerusalem, Nicæa, and of Trent. If the Council of Nicæa could exact implicit belief, under pain of the recusant being considered, and being, as heathen or publican, in the interpretation added to its symbol on the nature of its founder, in opposition to the Arian, the Reformer of the fourth century, why could not the Council of Trent add also its interpretation of the forgiveness of sins, in opposition to the Reformer of the fifteenth?

We ought, then, to make a study of the Fathers, as a portion of those documents in which are transmitted to us the testimony to the doctrines and history of the respective ages of the Church; but the study must be conducted on those principles, and according to those laws, without which deductions from antiquity would be mere assertions, and history a dream conjured up by the imagination of the reader. Thus pursued, the study of the Fathers is pleasing, becoming, and useful to the Catholic student. He seeks not for what he cannot find, and is not disappointed. He looks not for a complete rule of faith, which no portion of them contains; but, secure in authority, and the divine promises of infallibility, he finds the highest human degree of probability for his opinions, in the unaltered practice of the Church's manner of teaching from the beginning. He learns the details of the history of his people, and he supplies himself with arms of critical investigation, even on the details of doctrine, against those who refuse to accept of any other. Raised above doubt himself, he descends to the ground taken up by his opponent, and contends for victory only with those who have staked their all on the contest. But it is time to examine how far the principles and system of the editors of the *Library* are calculated to further this study of the Fathers.

Two considerations present themselves in this investigation; what is the end they have in view in the Publication, and how is the plan they have adopted, calculated to fulfil this end? Putting aside for a moment the consideration of the *chief grounds* given in the prospectus, let us examine the principal object of the work,—as culled from the *chief grounds* and the preface to St. Cyril. The object appears twofold. To present to the public a body of doctrine, guaranteed by the authority

of the Fathers, and 2ndly, to supply a store of edifying reading. Let us examine the developement they have given to the first of these grounds, and so form an accurate judgment of the correctness of their views on the end and manner of reading the Fathers.

The preface to Cyril, acting as a comment on the 9th, 10th and 11th paragraphs of the prospectus, will supply us with the information. In the paragraphs we are told, that the Anglican Church is founded upon Holy Scripture, and the agreement of the universal Church. Paragraph 9th, that the character of Catholic antiquity, and of the scheme of salvation, as set forth in it, cannot be picked up from the broken sentences of the Fathers found in controversial divinity: that Catholic antiquity is disparaged by Romanists, to make way for later councils, by others in behalf of modern and private interpretation of Scripture. Paragraph 10th, and finally, that the present work is to point out a body of ancient Catholic truth, for the use of dissatisfied Romanists. Paragraph 11th, in the preface to St. Cyril, the writer tells us, that "Nothing can be more certain, than that Scripture contains all necessary doctrine; yet nothing, it is presumed, can be more certain either, than that, practically speaking, it needs an interpreter," which he considers the doctrine of his Church, and illustrates by the doctrine of an interpreter to a contested legal document, statute or deed, (p. xv.) and in p. vii, he proceeds, after the quotation we have given in a former part of this article: "Our divines, at and since the Reformation, have betaken themselves to the extant documents of the early Church, in order to determine thereby what the system of primitive Christianity was; and so to elicit from Scripture more completely and accurately that revealed truth, which, though revealed there, is not on its surface, but needs to be deduced and developed from it."

Again, p. xi.

"Meanwhile, as regards the condition of the reader himself, (while he has not yet read all the Fathers), we consider that we shall sufficiently provide for his perplexity, by reminding him of his duty to take his own Church for the present as his guide, and her decisions as a key and final arbiter as regards the particular statements of the separate Fathers which he may meet with; being fully confident, that her judgment, which he begins by taking as a touchstone of each, will, in the end, be found to be really formed, as it ought to be, on a view of the testimony of all."

Again, p. ix.

"But even this sort of personal scrutiny," balancing the qualifi-

cations and disqualifications for being evidence to a fact, "will be practically superseded when we consult them, not separately, but as our Reformed Church has always done, together, and demand their unanimous testimony to any point of doctrine or discipline before we make any serious use of them."

From these and similar passages, we conclude,—and shall be most happy to be corrected if mistaken,—that in the opinion of the editors, Scripture is not intended for private interpretation; that this interpretation is to be sought in the unanimous consent of the Fathers, as to the meaning to be deduced and developed from Scripture,—that each individual ought, if he can, to search in the Fathers for this interpretation; and that in the prosecution of this enquiry, there is no need of his entering into the question of the individual qualifications of each Father; and finally, that, till each one has made this examination, he must rely implicitly on the explanation given by his Church. Now, it appears to us, that in this system, the editors have substituted, in the place of the common Protestant principle of private interpretation of Scripture, (which they reject, as practically untenable), a private interpretation of the interpreters of Scripture, which is practically impossible. The limits of what is to be called Christian antiquity, must be precisely defined, before unanimity can be determined in its documents,—a task hitherto unattempted at least with general accord,—and we believe, essentially impossible. An exegetical course of all the documents of that period must then be undertaken; a labour that may be roughly calculated by a review of the number of documents, and the endless questions that have hitherto been raised on the interpretation of each one of them. For the Fathers, and the other monuments of antiquity, have been claimed no less than the Scripture, by almost every denomination of religionists. We cannot comprehend how the scrutiny of the individual qualifications of the witnesses of antiquity can in this case be superseded. At all events, it matters little; for the same study, that this portion of the examination would require, must be given to the investigation of the history of the time, and the circumstances of the writer, if any rational interpretation of the document be attempted.

Supposing the limits of antiquity to be defined, and the student to have made himself critically acquainted with the works still extant, of the Fathers, how much further is he advanced in his object of forming a body of doctrine, grounded upon the unanimous consent of their authors? The Fathers,

according to the manner of all other authors, treat of the subjects interesting to the particular body of men, or individuals, for whom their writings were composed. They have not delivered, as later divines have done, *treatises* professing to be complete collections of doctrinal points. Even had they done so, they would *only have* inserted what was *declared* doctrinal in their day. We may have writers of the second century, confirming, in express words, the doctrines declared in the first; or those of the third, writing expressly on the errors, and opposite truths of the first and second centuries, as well as on those of their own day, but not *vice versâ*; and if St. Clement, St. Justin, or others, their contemporaries, make mention at all of details, in which later heretics have erred, it will generally be in those accidental and unmeasured phrases, that are better adapted to raise doubts, than to solve them, if we had not the analogy of faith, and the posterior decisions of the Church, on which to rely.

If, then, each individual, till he has conducted this examination to a satisfactory conclusion, must rely on the authority of his Church for the interpretation of Holy Writ, every man must remain in the religion in which he was born, and the first reformers had no right to throw off their allegiance to Rome.

But to return to our purpose; the first and main object of the editors, is to present to the public a body of doctrine on which their faith is to be grounded. Having already stated, that the Fathers form only a portion of the documents of antiquity, and that their own opinions form only a part of the testimony they bear to the doctrines of their times; we need not add, that we consider the principle on which the scheme of the editors is built, to be defective, even were the Library a collection of the whole works of the Fathers, with all the array of critical apparatus, instead of English versions of detached portions.

With respect to the second object we conceive them to have in view, we entirely concur with them in the general principle, that most edifying and instructive reading may be collected from the Fathers; and so far we agree in the superior advantages possessed by selections, on the grounds set forth in the first paragraph of the prospectus, viz. the bulk and expense of whole bodies of works; and the utility of variety in the reading, as is declared in paragraph the second. We doubt indeed much of the validity of the ground alleged in the third paragraph of the prospectus, viz. the greater quantity of

the occupation of the clergy of the present day, which prevents them from satisfying the public demand for ecclesiastical reading. The history of the Fathers will hardly countenance this motive for the publication of the Library; even on the supposition, that the time and talents required for a sound and useful translation of a work like St. Cyril, were not more than adequate to the composition of works adapted to the wants of the age. The fourth ground for publication we have already discussed, towards the beginning of this article; and we have only to add, that we do not feel at all certain whether the English public will not find the objections there stated, as existing against the introduction of German and American writings, to apply equally to such passages as the following, imported from Africa and Palestine :

“ Let us not then be ashamed of the cross of Christ; but though another hide it, do thou openly seal it on thy brow, that the devils beholding that princely sign, may flee far away trembling. But make thou this sign, when thou eatest or drinkest, sittest or liest down, risest up, speakest, walkest, in a word, on every occasion; for he who was here crucified, is above, in the heavens. For if, when crucified and buried, he had remained in the tomb, then we had had shame; but now he who was crucified on this Golgotha, hath from the Mount of Olives on the east, ascended into heaven; for having hence descended into hell, and come back again to us, from us did he ascend again into heaven, his Father addressing him and saying, ‘ sit thou on my right hand, until I make thine enemies thy footstool.’—*St. Cyril, Cat. iv. 14.*

“ On the body and blood of Christ. 1. This teaching of the blessed Paul, is alone sufficient to give you a full assurance concerning those divine mysteries, which when ye are vouchsafed, ye are of the *same body* and blood with Christ. For he has just distinctly said, *that our Lord Jesus Christ* the same night in which he was betrayed, took bread, and when he had given thanks, he brake it, and said, ‘ Take, eat, this is my body,’ and having taken the cup and given thanks, he said, ‘ Take, drink, this is my blood.’ Since then, he himself has declared, and said of the bread, this is my body, who shall dare to doubt any longer? And since he has affirmed and said, this is my blood, who shall ever hesitate, saying, that it is not his blood? 2. He once turned water into wine, in Cana of Galilee, at his own will, and is it incredible that he should have turned wine into blood? That wonderful work he miraculously wrought, when called to an earthly marriage; and shall he not much rather be acknowledged to have bestowed the fruition of his body and blood on the children of the bridechamber? 3. Therefore, with fullest assurance, let us partake as of the body and blood of Christ; for in the figure of bread, is given to thee his body, and

in the figure of wine, his blood; that thou, by partaking of the body and blood of Christ, mightest be made of the same body and same blood with him. For thus we come to bear Christ in us, because his body and blood are diffused through our members; thus it is that, according to the blessed Peter, we become partakers of the divine nature. 4. Christ on a certain occasion, discoursing with the Jews, said, 'except ye eat my flesh, and drink my blood, ye have no life in you.' They not receiving his saying spiritually, were offended, and went backward, supposing that he was inviting them to eat flesh. 6. Contemplate therefore the bread and wine, not as bare elements, for they are, according to the Lord's declaration, the body and blood of Christ; for though sense suggests this to thee, let faith establish thee. Judge not the matter from taste, but from faith; be fully assured, without misgiving, that thou hast been vouchsafed the body and blood of Christ. 9. These things having learnt, and being fully persuaded that what seems bread is not bread, though bread by taste, but the body of Christ, and that what seems wine is not wine, though the taste will have it so, but the blood of Christ; and that of this David sung of old, saying, 'And bread which strengtheneth man's heart, and oil to make his face to shine, 'strengthen thine heart,' partaking thereof as spiritual, and make the face of thy soul to shine. And so having it unveiled by a pure conscience, mayst thou behold, as in a glass, the glory of the Lord, and proceed from glory to glory, in Christ Jesus our Lord:—To whom be honour, and might, and glory, for ever and ever. Amen.

"XXIII. On the Liturgy. 8. Then, after the spiritual sacrifice is perfected, the bloodless service upon that sacrifice of propitiation, we entreat God, for the common peace of the Church, for the tranquillity of the world; for kings; for soldiers and allies; for the sick; for the afflicted; and in a word, for all who stand in need of succour, we all supplicate and offer this sacrifice.

9. Then we commemorate also those who have fallen asleep before us,—first, patriarchs, prophets, apostles, martyrs, that at their prayers and intervention, God would receive our petition. Afterwards, also, on behalf of the holy fathers and bishops, who have fallen asleep before us, and in a word, of all who in past years have fallen asleep among us, believing that it will be a very great advantage to the souls, for whom the supplication is put up, while that holy and most awful sacrifice is presented.

"10. And I wish to persuade you by an illustration. For I know that many say, what is a soul profited, which departs from this world, either with sins, or without sins, if it be commemorated in the prayer? Now surely, if when a king had banished certain who had given him offence, their connexions should weave a crown and offer it to him, on behalf of those under his vengeance, would he not grant a respite to their punishments? In the same way, we, when we offer to him our supplications for those who have fallen

asleep, though they be sinners, weave no crown, but offer up Christ sacrificed for our sins, propitiating our merciful God both for them and for ourselves."—*St. Cyril, Cat. xxiii.*

Will not the English public think, that St. Cyril has altered, in these passages, the orthodox faith?

Let us hear if St. Austin be more exact. See Chap. XIII. book 9, of his Confessions;* describing his feelings and actions, after his mother's death, he says:—

"But I, (O thou who art my prayse, my life, and the God of my hart,) for awhile laying aside her goode deeds, (for which I ioyfully give thee thanks,) do now pray unto thee, for the sinnes of my mother. Hearken to me I beseech thee for his sake, *who is the true medicine of our wounds, who hung upon the cross, and sitting now at thy right hand, maketh intercession for us.* I know that she hath willingly, and from her heart forgiven such as offended her; forgive thou also her sinnes, if she committed any, in so many yeares, after she was cleansed by the water of salvation. For she, when the day of her death drew neere upon her, did not crave that her body might be sumptuously adorned, or embalmed with spices and odours, nor desired she any curious or choyce monument, or cared she to be conveyed into her native country. They were not these things which she recommended to us, but only she desired to be remembered at thy *altar*, whereat she used to assist, without pretermission of any one day; and from whence she knew that sacrifice to be dispensed, whereby the *handwriting was blotted out, which carried our condemnation in it, and whereby our enemy had triumphed over us; but-whilst he numbered and objected our sinnes against us, he could find no sin in him, by whom we are conquerors. Who can restore that innocent bloud of his? Who can repay the price wherewith he bought us, and so take us out of his hand?* And inspire, O Lord my God, inspire thy servantes, my brethren; thy children, my lordes, (whom with hart, and tongue, and fere, I serve,) that whosoever reades these *confessions*, may, at thy *altar* remember thy servaunt *Monica*, with *Patricnes* her husband; through whom thou broughtest me into this world, though in what sort I know not. Let them with pious affection, remember those who were my parents in this transitory life, and who are my brethren in respect of thee who art our common father, in Catholique Church, (which is our mother), and who are to be also, my coinhabitants of the spiritual citty of *Hierusalem, whereunto the peregrination of thy people doth aspire, and sigh from their birth unto their death.* That

* Not having a copy of the newly revised translation, we quote from "The confessions of the incomparable doctor, St. Augustine, translated into English together with a large preface, which will much import to be read over first, that so the book itself may both profit and please the reader more.—*Permissu Superiorum,*" 1620. 12mo.

so, what she desired of me by her last will, may the more abundantly be performed to her, through the prayers of many, as wel by meanes of these my confessions, as of myne owne particuler prayers.—pp. 456-459.

We cannot comprehend the advantages alledged as the fifth chief ground for the publication, that the Fathers resisted the heresies in their original form. *Prospectus*, paragraph 5th. We should have thought it more profitable for the public, to have errors refuted in the exact form which they assume in whatever happens to be the present day.

Having our own faith clearly defined, we do not see what risk we run, in studying critically the errors of any period, or mysteries, or other articles of faith. To read the arguments for erroneous doctrines, may be, and is, often dangerous for the unlearned; but the case proposed in paragraph 6th, is that of the student and theologian, examining a false doctrine with a view to its refutation.

The sixth chief ground (paragraph 6), for the publication, is, that St. John Chrysostome, and other Fathers, had the advantage of speaking the language of the New Testament. As far as the relation between the Greek of Palestine, in the first, and that of Byzantium in the end of the fourth century, holds good, the holy patriarch of Constantinople had some philological qualifications, for the interpretation of Holy Writ, that moderns have not; but in the system of the editors, it is merely his authority as a witness to received interpretations, that we are to take into consideration.

The other chief grounds we have already had occasion to examine. But let us proceed to the plan on which the *Library* professes to be formed.

After the remarks we have made on the principle of forming a body of doctrine out of the writings of the Fathers alone, we need hardly add, that we conceive the plan of the work to be radically defective, inasmuch as it is to be composed of selections. But even on the principle of the editors this is a capital defect. For instead of presenting the public with a body of documents from which to extract a system of faith, built upon the unanimous consent of the Fathers, they offer a collection of works, affording, perhaps, unanimous testimony to certain doctrines, but dependant for that unanimity upon the will of the editors, both in the selection of the witnesses, and the portions of their testimony. Tertullian bears witness to very different doctrines at different periods of his life; Origin does the same; our author, St. Cyril, shuns the word *consu-*

stantial in the works of his youth, translated in this *Library* and employs it in his old age in another work, not now presented to the public; St. Augustine has left us a book of what he wished to retract in his former works, &c. &c. It will, therefore, be in degree only, and not in kind, that the *Library* will differ from those partial extracts of Fathers, of the deficiencies of which the editors, with so much reason, complain. (*Prospectus* 10.)

The plan proposes to give those notices of the writers, and those remarks on obscure passages, which may supply the necessary critical information for the reader. To judge *à priori*, this project is incompatible with the intended bulk of each work. For the same, or nearly the same apparatus of historical, biographical, and archæological notices of an author and his times, is requisite for the due understanding one work, as if his whole writings were to be published. The hermeneutical and grammatical part of the labour is shorter; but the host of valuable existing editions of Fathers, and other ancient writers, show how small is that portion peculiar to each work, compared with what is common to the whole. But it is from the detail of execution we must form a correct judgment on this subject. If we were to judge from the specimen before us, we should say, that the parenthesis (after the manner of the Benedictines), inserted in the fourth paragraph of the plan, on the notes and notices, is incorrect. "The notes," says the fourth paragraph of the plan, "shall be limited to the explanation of obscure passages, or the removal of any misapprehension which might not improbably arise (after the manner of the Benedictines)." Any one acquainted with the result of Don Foulée's laborious researches, in the splendid edition of St. Cyril given by the Benedictines, would certainly be very much disappointed, if he took up the present volume, with his expectations formed on the idea that the notes contained in the latter bore any resemblance to those of the former, farther than that they are both notes; and, on the other hand, it would be but scanty justice to the Maurist editors, that any portion of the English public unacquainted with their editions, should be left to imagine, from the notes appended to the English translation of St. Cyril, that such, also, was the manner of the Benedictines in adding their notes.

What useful object the editors had in view, in publishing accompanying copies of the original texts of the works they translate, we cannot comprehend. To those who cannot read the originals, or who wish only for the volumes of the

Library for the purposes of edifying reading, the originals can be of little utility. For persons who wish to make a real study of the work, or to collect a satisfactory body of doctrine independently of the chance errors of translation, something far beyond the mere letter of the original text of particular works is required; something far above the proposed limits of the work. They will find much that they want, already executed; and references to the rest, in most cases, in the numerous and splendid editions of the Fathers already given to the public.

It remains for us to enquire, from a review of the specimen given us in the publication of the *Catechetical Lectures* of St. Cyril, how far the object aimed at by the editors, is attained; how far the plan proposed by them is adhered to; and how far the objections we have raised to the principles and plan of the work are realized.

A better selection of a specimen of ancient Catholic teaching, could not have been made by the editors. The work is the most complete (almost unique) course of a regular series of doctrinal expositions of the main body of the faith left us by antiquity. The articles of the creed are expounded by the author to those adults, who were preparing, during Lent, for the reception of baptism at Easter. In addition to these, the explanation is given during the week following Easter, on baptism, confirmation, and the eucharist, which they had just received. We may, then, expect to find here a precise line of demarcation between Catholic and uncatholic doctrines, in those respects in which they had been questioned in the time of St. Cyril; and plain statements of those dogmas which were included under the subjects recorded above, when these dogmas had not been controverted. This is precisely the case. Almost every shade of Gnosticism, Judaism, and Paganism, is carefully examined and refuted; as also those assertions of the new Platonic school, which had, up to that period, been introduced and condemned as opposed to sound faith. But here St. Cyril stops; and in vain shall we look for those plain testimonies on the consubstantiality of the Son and Holy Ghost; on the distinct natures, and wills, and singleness of person, in our Saviour; or, on the absolute necessity of grace to begin, and continue, good works; which, a century later, were as earnestly inculcated as dogmas of faith, as the unity of God, or the reality of our Saviour's body, were in the catechetical instructions of St. Cyril.

While, therefore, St. Cyril fulfils completely the expecta-

tion which sound criticism would form, he is really deficient, in an essential requisite, on the principle of the editors. Beyond the articles of the creed of Jerusalem, and his exposition of baptism, confirmation, and the Eucharist, as the communication of the body and blood of Christ, and as a sacrifice of thanksgiving and propitiation for the living and the dead, he is silent. If absolute unanimity is required in the Fathers, we must reject all faith in a divinely constituted hierarchy, &c. &c., on the ground of this silence; if absolute unanimity be not necessary, how many Fathers must testify to make the unanimity required, and where is silence in one or more Fathers of no moment? Let us remember, also, that St Cyril is not only silent, but requires explanation, to make his testimony agree with sound Catholicism, in many of the parts above-named; and is it from the short notes appended to the translation, that the reader is to gather the concurrence or disagreement of St. Cyril with other Fathers, of other days, and placed in other circumstances? Again, many of the errors of his day, and many of the Catholic dogmas, depended frequently on the terms employed; for few, comparatively, of the heretics rejected the *words* of Scripture, or the creeds. They expressed themselves in terms, the ambiguity of which, for some time, cloaked the unsoundness of the opinion; and is the reader of the translation to form that accurate judgment of this author, on which, so far as one link of the chain is concerned, the determination of his own creed is to depend, on the exactitude of a translation? The Greek words are frequently added in the margin on doubtful occasions it is true, but frequently they are not; but, from the use of the translation, he may be supposed incapable of critically employing the original. But does the margin give the various readings, and the reasons why the one adopted ought to be preferred? Can a work in this compass do it? Let us see if it be attempted.

The preface consists in a short statement of what the writer supposes to have been the state of the Church, in connexion with the Arian and Semiarian controversy, about the time of St. Cyril (pp. i-ii.) Our opinion differs very widely from the one stated; but, as the reasonings on the subjects are not added, we shall wait for another opportunity of giving the grounds of our disagreement with the editors on this very interesting portion of Church history.

A very brief notice of the principal facts of St. Cyril's life occupies the next pages, iii. iv. v.; the next, to page xxiii. are

taken up in discussing the principles on which the study of the Fathers is recommended. A short, but very interesting, account, with the plan, of the church of the Resurrection, taken from the Benedictine editors of St. Cyril, closes the preface.

The details of his life, disclosing his character, opinions, and circumstances, and those of his cotemporaries; the history and archæology of the age; the question whether the works be genuine (a subject that has been much controverted), and the proofs that they are so, and to what degree, are omitted. We will only refer to the preface to the Benedictine edition, and the dissertations prefixed to the work, occupying upwards of two hundred and fifty folio pages, and, appealing to the editors of the *Library* themselves, if there be in that preface even one-half more than the common rules of criticism would recommend for an introduction to an important work of antiquity,—ask how, in five or six short octavo pages, a reader can be prepared for the task, far more important than the Benedictine Fathers ever contemplated? We may observe here once for all, that mere reference to ancient writers, in support of allegations contested, is of little service, and scarcely of more weight than the mere allegation of the quoter. The fact of their being contested, shows that different interpretations have been given of the authorities. They must then be reasoned upon, confirmed, &c., before they ought to be received by the critic; and such, each one has to be, in the views of the editors of the *Library*.

But, perhaps, the critical, historical, and archæological information, so scanty in the preface, is supplied in the notes. We think it is not. The great proportion of the historical notes, are merely the names of some of the heretics refuted by St. Cyril, with references to other Fathers who have mentioned them. Little information can be gathered by the reader from such notes. He either is already acquainted with the names of the heresies, and the mention of them is needless; or he is not; and he stands in need of something more than bare names. At all events, the catalogue ought to have been completed, if given at all; and we do not see why it was not done, as, in most instances, the rest of the names were added in the notes of the Benedictines, or of Milles, whence these shadows of notes appear to have been drawn.

It would be useless to cite examples of this imperfection, which pervades the whole work, but is most conspicuous in Catechism the fourth, in which St. Cyril gives a brief abstract

of the leading doctrines, and the opposite heresies, on which it is his intention to discourse in the remaining catechetical discourses. The inconveniences of this great brevity in these historical notes, is considerably increased by the incomplete state in which many, perhaps most, of them are left; as when in the note on the adversaries of sound doctrine, on the Godhead of the Holy Spirit, the Gnostics are omitted. Cat. iv. 16. Touttée, or Neander, would have supplied abundant interesting information on the subject. Again, in Cat. iv. 9. Valentinus is placed as the person against whom the doctrine of the maternity of the Mother of God was to be maintained. And were not the opinions of Basilides, Bandesanes, &c., equally erroneous in this respect, and their authors equally entitled to notice?

When the plan was adopted, of naming the heretics to whom St. Cyril refers, it ought to have been constant; but we find no note as to who maintained the devil to sin from necessity—Cat. ii. 4.; the body to be the cause of sin—Cat. iv. 23; or on those who denied the reality of our Saviour's sufferings—Cat. iv. 10, &c. &c. The authors of followers of the numerous objects of Pagan worship referred to by St. Cyril, in Cat. vi. 8, and elsewhere, are passed over without note; and we should have concluded, that this class of errors was not intended to have come under the notice of the writers of the notes, if we had not found one or two cases, and certainly not very obscure ones, as in Cat. xiii. 37; where the single-worded note, *Esculapius*, explaining the thunder-stricken god alluded to by St. Cyril, showed us that the cats and onions, and such like divinities mentioned in former places by St. Cyril, ought also to have had the tribute of a note.

Very few are the more ample historical notes, and those of little moment; at least, compared with the historical notes that the various statements of St. Cyril would naturally have called forth, as we see in Milles and Touttée's edition were considered as requiring illustration. The accusation against St. Cyril, Cat. xvi. 7, for charging too highly his picture of the enormities of the Montanists, might have been spared, if the editors had observed, that St. Cyril is speaking of Montanus, not of the Montanists. St. Cyril is describing the state of discord between the bishops with whom he came in contact, and from, or with whom, he was suffering; not the state of the *Church generally*, in Cat. xv. 7. But this forms part of the editors' opinions, as to the state of the Church at the period expressed in the preface, and which we have said we shall

have occasion to refer to on another occasion. Neither the caricature of the Pagan historian, nor the lamentations of St. Hilary, quoted by the editor, through the colouring of Gibbon, contradict the assertions of St. Athanasius, that the Arian controversy was satisfactorily decided at the Council of Nice.

The archæological notes, which would have been the best substitute for the meagreness of information contained in the preface, are, unfortunately extremely rare, and not much to be depended upon. We have no information supplied by the notes on that most essential piece of Christian antiquarian lore,—the *Disciplina Arcani*, referred to by St. Cyril more than once; as Procat. 12; Cat. v. 12, &c.; upon the various classes of the unbaptized, so frequently referred to by St. Cyril. On the orders, or classes, existing in the body of the Church itself—such as the *κατοικιοι* of the Procat.; on the orders of solitaries and virgins, in Cat. iv.; on the state of manners and customs of the day, Pagan and Christian, frequently absolutely necessary for the true interpretation of the text. Thus, without any note, we are told, Cat. xix. 6, on renouncing the pomp of the devil in our baptismal promise,—“Now, the pomp of the devil is the madness of shows, and horse-races, and hunting, and all such vanity.” Milles and Touttée take care to prevent the erroneous conclusion these words might lead to, by explaining from ancient authors the idolatrous and obscene nature of the shows of the circus and hippodrome; though they were not written expressly for Englishmen, to whom the literal translation of St. Cyril presents words so familiar, though very alien from the meaning of the author.

In confirmation of the second part of our remark on the archæological notes, we may adduce the inference, that in the Roman Church it was necessary for the minister of baptism to be ordained. The confounding of the two spots of the crucifixion and burial of our Lord, in note on Cat. v. 10, or in Cat. ii. 15; where the argument of the note, or the word confession, is founded upon what would involve a contradiction in the argument employed by St. Cyril in the text; or in Cat. iv. 26, where that is stated to be the opinion of the Fathers on second marriages, which is only the opinion of some. See the same in Cat. viii. 7; or again, in Cat. x. 14; where St. Cyril is stated, erroneously, to be singular in his opinion on the eternal high-priesthood of our Saviour.

The hermeneutical notes consist chiefly of references to other Fathers, who uphold or contradict the opinions of St. Cyril. Upon the grounds already stated, we think that this mass of cita-

tions can be of no great service. If the other Fathers are allowed, by general consent, to teach or deny the opinions of St. Cyril, the simple statement of this fact would have been more conclusive; if they are not, it is scarcely in accordance with the principles of the *Library*, to give the interpretations adopted by the editors, unsupported by the critical examination of the passages in question. We have given one or two examples already of the inexact manner in which these references are made, by the use of *the* Fathers, for *some* Fathers. It is useless to multiply them, as we might.

The editors have, in general, adhered to their intention of not admitting notes, merely conveying their own view of the sense of individual passages in the catechetical discourses. Where they have attempted it, we do not conceive that they have been very successful. For example, in Cat. III. 4, we are told in a note, that St. Cyril “considers that Cornelius and his friends were regenerated as the apostles were, apart from baptism.”

Now, St. Cyril tells us expressly, in the text, that they were not regenerated. For his argument is,—that, however bold the doctrine may be, it is true that no one can enter the kingdom of Heaven without the seal of water, from *John* iii. 2. Hence, he concludes, and illustrates it from the case of Cornelius, that even, though part of the regeneration be effected, that of the soul by faith; yet, that that was not sufficient, unless that of the body, by means of water, be added also. Again, in Cat. xxiii. 10, we are told, *that St. Cyril as little proves the idea of a purgatory, as Tertullian does that the Son of God is not from eternity.* The difference is this,—that Tertullian maintains the eternity of the Son of God; though in a complicated argument upon an unintelligible subject, he uses words that would certainly, taken by themselves, prove that he thought the contrary; whereas, St. Cyril never denies the existence of Purgatory, and asserts its existence in the plainest terms, without any intricacy of reasoning. A second note is added to this same paragraph, stating, that St. Cyril spoke of persons who were sinners, as being prayed for, and thus “contradicted the Roman doctrine, which considers Purgatory to be conceded to none but imperfect believers,” it happens that the Catholic Church distinguishes between mortal and venial sin,—that those who die with the guilt of venial sin, or not having paid the full debt of temporal punishment due after the remission of mortal sin, go for a time to Purgatory; and also, that St. Cyril distinguishes between classes of sinners; for of one set, he tells us in Cat. xviii. 14,—“The

just shall then (after death) offer praise, but they who have died in sins shall have no farther time for acknowledgment ;” and *here*, he tells us that there are sinners to whom our prayers are of avail.

The use of the critical notes on the margin, we do not clearly see. For the mere insertion of a Greek word, does not prove in what sense St. Cyril, individually, or the writers of his day, employed it, even supposing the translation to be intended for those who can judge of the original. Nor do we see on what principle, controversial or theological, it has been determined when the Greek word was to be added. In Procat. 3, *εισελθεον εισελθης*, is put in the margin certainly, not from any difficulty or critical importance in the passage.

Were there a regular system of marking the diversity between the English version of the Scripture and the one employed by St. Cyril, it might be serviceable ; and the preface (page xxiii.) promised that this should be done. But here also the same irregularity of practice continually prevails. In Cat. ii. 7, Gen. iv. 12, is translated a fugitive, a vagabond, while the Greek is *στενων και τρεμων*. There is very little resemblance between the two versions, yet we have no notice taken of the difference. The English text from Job, prefixed to Cat. ix. has not the slightest connexion with the Greek of the same passage, and the remarks of St. Cyril are made upon the words and the text as they stand in the Greek version, yet no comment is made. English version of Job, xxviii. 2, “Who is this that darkeneth words without knowledge ?” Version of Septuagint, “Who is this that conceals council from me, keeping things in his heart ; but thinks to conceal from me ?” Again, sometimes these remarks on the differences of version are put at the bottom of the page, as in Cat. xii. 6, &c. &c. And *vice versa*, hermeneutical remarks are given in the margin, as Cat. xiii. 36, and Cat. ii. 16, &c. &c.

But, examples in matters of this description, can do no more than point out the nature of the real or apparent defect. . We had prepared a detailed examination of the work, from which only a correct view of the insufficiency of the whole apparatus of the notes and notices in principle, and the want of exactness in the detail of execution, could be shown. Finding our article already too long, we will confine ourselves for the present to presenting the reader with one or two of the discourses thus examined, as specimens of what we have found the work, both as to notes, notices, and translations.

With regard to the latter, we have to observe ; first, that the titles of all the lectures, with the exception of two or three,

are not translated from any of the readings of the ancient titles prefixed to the discourses. They are named according to the translator's idea of the object of the discourse. This would be a matter of no importance, were it not, that the notes attached to two or three of the titles, viz. iv. viii, lead to the belief, that in the others, the original was simply translated.

In the second place, the texts at the beginning are not according to the original as to the verses cited. These texts are called *αναγνώσεις*, or readings, and are the first verse or verses of the lesson which had been taken out of the Scripture for the day. Hence, in the original, the first verse in general only is given, and *τα ἔξης*, *and the rest*, is added. St. Cyril frequently refers to these lessons, and comments under this head on parts which are not cited in the text. Now, the translator usually quotes a verse or verses more than the original, but leaves out the *and the rest*, as if he conjectured that his addition completed the reading. Why he has taken this gratuitous liberty we cannot comprehend. Perhaps it is merely a part of that want of precision that characterizes the whole of the execution. Thus, again, in the third place: the body of the translation commonly preserves the general meaning of St. Cyril's arguments and paragraphs, while the particular words, phrases, and even doctrines contained in these, are frequently incorrect. The precise force of the words and idioms employed by St. Cyril, seems not to have been attended to with that care which a work of this nature requires, nor even with that ordinarily shown in the translation of a classic. Had he been paying more attention to the details of expression, he could not have overlooked many cases where the argument of St. Cyril was based upon the Septuagint version, and was null when that version was replaced by the English translation as in Cat. ii. 11; where the text is taken from 2 Sam. 12, and no remark is made on the difference of the two interpretations.

The difference in the translation is increased by the want of attention to use always the same English word for the corresponding word in the Greek; thus, *ακολασία* is sometimes translated, *incontinence*, sometimes *intemperance*, &c.; *ασεβης* and *ασεβεια*, blasphemy, impiety, profane, &c.; *πολυπραγμονειν*, to be busy with, busily to pry into, to meddle with, curiously to scan; *ευλαβης*, *ευλαβεια*, seriousness, devoutness, reverence, conscientious, religious, &c.; *σωφροσυνη*, chastity, sobriety, &c.; *προδραμειν*, to encounter, to side with, &c. Again, the employment of English words consecrated to particular meanings arising from particular customs, is also likely to mislead

the reader, thus: λεγομενον, εφημενον, are frequently interpreted *the text*, where they mean what has been said; συναξης, κυριακη, the Lord's-day service, *Sunday meeting*, Cat. xiv. 26. Indeed, in the same Cat. 26, we find συναξις translated, in the *Church*, and in Cat. xviii. 33, in its true *assembly*. St. Cyril employs it in the same sense on three occasions.

A similar error might have been noticed when mentioning the titles of the discourses, where the *communion service* is given by the translator to the twenty-third. In the original there is no title. Had there been, it could not have corresponded with the idea conveyed under the English term employed. For the main part of the discourse is on the liturgy of the sacrifice, the communion is mentioned as part of that at the end.

An example will, however, show better the nature of the observations we wish to make, than insulated cases.

Let us take the introductory discourse.

Having had no previous account of who were the principal auditors to whom these discourses are addressed, we might have had an archæological note on the words, *you who are soon to be enlightened*; more especially as the Greek word does not mean literally what it is used for. The classes into which those who were under preparation for baptism were divided, is a very interesting piece of information, and necessary to understand many allusions in the older writers. The mere placing of the word φωτιζομενοι in the margin, answers no purpose, except to show that there ought to be something to say on the Greek present tense, being rendered in the English future.

"*Refreshed you,*" for, "*has blown or breathed towards you,*" εκνευσεν.

Paragraph 2, line 2. Of what service is the note, giving merely St. Augustine's opinion on Simon Magus' baptism?

The translation—"He admitted not the spirit to illuminate his heart," ought to be "*did not illuminate his heart with the spirit*;" καρδιαν ουκ εφωτιζε νευματι.

Page 2, paragraph 2. "Thinkest thou to busy thee," &c. for, "thinkest thou to search into," πολυπραγμονειν. The argument is against those who wish to become Christians, to learn what is done. See varieties on the translation of this word already mentioned.

Paragraph 3. "With what stained garment," for, "in (or with) what colour." The paraphrase is very probably correct, but it fixes a meaning which the original left open; and just below we have the appearance of a scrupulous adhe-

rence to the original in the marginal note following: “*ἐξελθὲν εἰσελθῆς*, according to Casaubon’s emendation.” Of what moment is this point? This is an almost solitary instance of various reading given in the whole work. The translator might have chosen *variantes* of more moment.

Page 3, paragraph 4. “Religious,” for “canonical,” or “on the roll of the Church.” *κανονικων*. In the margin we find *παρουσιαν κανονικων*, two Greek words, telling us nothing, but that *κανονικων* was translated erroneously *religious*. A note to inform the reader who were the *κανονικοι*, would have been instructive.

“Let the place affect thee, let the sight sober thee,” for respect the place, learn (or be instructed) from what appears, *δοσωπηθητι τον τοπον παιδευθητι εκ των φαινομενων*. The note on the length of “*this time of penitence*,” is ambiguous. If it mean *Lent*, as St. Cyril does, it is incorrect; if it mean the time appointed by the penitential canons, it is too meagre to afford intelligible information on the subject.

“Soberness” for “purity,” *σωφροσυνη*. Supposing the word to be indefinite, its precise meaning here is fixed by the antithesis, fornication and uncleanness.

“This charge I give thee,” for “I announce to you.”

Paragraph 5. The powerful expletive “yea,” is added in the translation at the end of this paragraph.

Page 4, paragraph 6. “Wilt thou not let go carnal things, that thou mayest take hold of spiritual;” for, “rest from bodily things, that thou mayest bear away spiritual;” *ουκ αργησεις απο σωματικων ινα αρης πνευματικα*. The object of St. Cyril is, that they should give themselves up entirely to preparation for baptism during the time of Lent. The antithesis is between what they are to rest from, and the prize to be obtained in baptism.

The marginal note in this paragraph is incorrect in translating *δικαιος*, *just*;—the note answers no purpose.

Paragraph 7. The note in this paragraph informs us of some of the heretics, who baptized more than once the same person. From what follows, the reader would be induced to make a very false inference: “What Cyril says about heretical baptism should be observed. The Roman Church considered it invalid only when (the officiator being ordained) the words or water was not duly used. St. Cyprian and the African Church of his day considered it invalid in all cases. So did the Churches of Asia Minor at the same date. St. Dionysius of Alexandria is claimed on both sides.”

The conclusion would be, that the rebaptizing of heretics was an open question in the Church. What are the facts? Agrippinus began to rebaptize in Africa, a short time previous to St. Cyprian's consecration, and St. Cyprian followed the example for some time; and the usage was also adopted in some Churches of the East. The attention of the pope was called to the question; he condemned, as contrary to tradition and faith, the practice, which was not long afterwards condemned again by a general council, and the question finally settled. Here we have the regular development of a point of faith, similar to what happened with regard to almost every interpretation of the creed or Scripture. Some one broaches a new principle: it attracts attention—is controverted and discussed—authoritatively defined as of faith—and all submit.

The fact within the parenthesis is wholly incorrect, as reference to St. Jerome, and any writer on the subject, might have taught the composer of the note. It might have been added, that the only heretics with whom St. Cyril had to treat, were those who had vitiated the matter and form of baptism. It makes a very serious difference.

Paragraph 8. "I tell thee from *willing*, from believing," for, "by wishing, by believing." *Willing salvation being the cause of salvation* is not very orthodox, *wishing* it is perfectly so. The Latin *volueris* is ambiguous; the Greek word employed by St. Cyril is used in its ordinary sense, *Θελω λεγειν Ατρειδας. Θελω δε Καδμον αδειν*. If the poet had willed to sing of Cadmus, he would have sung of him.

Paragraph 9. "Ordinance," for "Thing done," *πραγμα*. St. Cyril says simply, "whether thou art breathed upon or exorcised, *the thing* is to thee salvation. *Ordinance* with a capital letter means much more.

A note on the exorcisms would have been very opportune, considering the wide diversity of the practice between modern and ancient days. There is a note on part of the ceremony, namely, the veiling, in which note the reader is told nothing, but is recommended to consult Bingham and Basnage.

"Goldsmith," for "Goldsmiths," required by the parallel instituted.

Page 6, paragraph 11. "Though now dropped one by one, are *at length* presented in harmonious connexion," for "Now indeed spoken separately, *but then* brought forward in harmony," *νυνι μεν σποραδην . . . τοτεδε . . .* The argument showing the difference between the ordinary discourses on chance subjects and the regular order of catechetical instructions.

Paragraph 12. Why is there no note on that interesting

subject very essential in patristic hermeneutics, the *disciplina arcani*, which this paragraph illustrates? Why none on the two classes of people to be instructed, referred to in the same?

“I told thee not what was coming,” for I told thee not the present thing, *τα προκειμενα*. See the translator’s and St. Cyril’s use of this word on many occasions.

“When thou hast by practice reached the height of what is taught thee,” for, “when by experience, thou understandest the height (greatness) of what is taught,” *οταν τη πειρα λαβης το υψωμα των διδασκομενων*; then he argues you will see that Catechumens were not worthy to be told it.

Page 7, paragraph 13. “*Henceforth* meddle not with unprofitable external matters,” for “the rest (moreover or then) do not inquire curiously into unprofitable things,” *μη πολοπραγμονει λοιπον πραγματων ασωφελειαν*. He is telling them not to talk politics while waiting in the church. See the context.

Care for “anxiety.” Paragraph 15. “Reverence,” for “good manner of conducting himself,” *ευλαβες*.

Why does the note tell us barely, “that lights were kept burning in the church on Easter Eve all through the night,” without adding that otherwise the people, who also spent the night there, would have been in the dark? the long and peculiar office now celebrated on Saturday morning tells us, in every page almost, that it was formerly celebrated at night, and finished with the mass of the resurrection at day-break.

In the margin, we find a note, saying, “*σωζομενοι*, vid. Act II. 48, translated in our version, ‘such as should be saved.’” This is a useful remark, but it is omitted so frequently, that it is more likely to cause than to correct mistakes, for, being expressed sometimes, it will be supposed that it was not required when omitted. See our general remarks.

Page 8, paragraph 16. “Offered you,” for “this present” baptism, *προκειμενον*; see the translation of this word above. Perhaps the Latin version misled the translator, as it seems to have done not unfrequently, where it is ambiguous.

“If thou find any shameful, *any base* imagination;” *any base* is an addition.

Page 9. “Art thou going to the water to be baptized in it,” for, “art thou going in to descend into the water.” The construction of the phrase and the point of the objection proposed by St. Cyril, are lost in the translation.

A note on baptism by immersion, as used by the ancient Church, would not have been misplaced here. The scoffer’s remark would not have applied to the present mode of baptism.

Paragraph 17. "We charge," for "we announce."

"And give you the indelible seal of the Holy Spirit throughout all ages," for "the seal of the Holy Spirit indelible through all ages, (for ever indelible)." Why are the Greek words σφραγιδα ανεξελειστον put in the margin? and why, if they are put in, is the qualification εις τους αιωνας left out?

We are sorry that the length of the article forbids us to add any more specimens. The generality of the lectures are much in the style of the one we have given: In the 15th, 16th and 17th, the translator appears to have been more than usually inattentive to precision in the execution of his task. We think, however, that any one is sufficient to bear out the remark we have already made, that for the purpose of drawing out a body of doctrine from the Fathers, the execution of the present work is not well adapted, from the scantiness and want of exactitude of its critical apparatus, and from the deficiency of attention to correctness and precision in the translation. Employed as a book of pious reading, it will answer well, and as such, we sincerely wish it wide diffusion.

ART. II.—1. *Report from the Select Committee on Controverted Elections*, 1836. Reprinted December 1837.

2. *A Bill, (as amended by the Committee,) to regulate the Trial of Elections and Returns of Members to serve in Parliament.* (Prepared and brought in, by Mr. Charles Bul-
ler, and Mr. Strutt) Ordered to be printed December 1837.

3. *A Bill to amend the jurisdiction for the trial of Election Petitions.* (Prepared and brought in by Sir Robert Peel, Mr. Goulburn, and Mr. Shaw Lefevre,) ordered to be printed June 1838, reprinted April 1839.

4. *Suggestions for the amendment of the Constitution of Election Committees*, by Percival Weldon Bankes, A.M. Barrister-at-Law, of Gray's Inn. London, 1838.

5. *The Judicial Privilege of the Commons on Controverted Elections, considered, and its partial abolition vindicated*, by Thomas Boehm Rutherford, A.B. Barrister-at-law, of the Inner Temple. London, 1838.

6. *A few parting words to the Election Committees of 1838*, by Charles Neate, Barrister-at-Law. London, 1838.

IRELAND having suffered more severely, than any other portion of the empire, from the abuses prevailing in the

present mode of deciding controverted elections, and her electoral rights still continuing to be special objects of attack, with all whose narrow views are thwarted by her demands for justice, we have deemed it our duty to pay some attention to the various proposals for amending the jurisdiction, from which those abuses originate.

In the commencement of the recent session, Lord Mahon proposed a radical remedy, which could not have been expected from a nobleman of his Conservative tendencies; and even questioned the constitutional right of the body of the Commons, to determine the elections of the individual members. On this topic, we believe that much more might have been said, than seemed within the range of the noble Viscount's philosophy; but as it is one of those questions, on which much ingenious speculation might be very unprofitably expended, we shall confine ourselves to considering, to what species of tribunal, that House may now best delegate its jurisdiction, for the attainment of the objects so anxiously sought for, both by itself and the public. In doing this, we propose to imitate the example of the physician, who, ere he prescribes for a patient, enquires into the history of the disease, the remedies which have been employed, and the results which have followed.

We have not been able to discover that in earlier times, the three branches of the legislature, entertained such a jealousy of each others' rights and privileges, as the events of the last three centuries have excited. There was, then, no motive for jealousy. With a few well-known fatal exceptions, there was then no monarch aiming at arbitrary power, no minister at securing an hereditary vested interest, in the management of the national business. The peers then independent, and not weakened by the admixture of a body of ecclesiastics, who derive their dignities from the crown; the Commons being, not the mere puppets of a few proprietors, but the real representatives of the people, chosen annually, and paid for their services by their constituents; there being no standing armies, no excise, no customs, and very little ecclesiastical patronage, in the gift of the crown,—neither the monarch, nor his minister, was able to effectuate that splendid system of corruption, which, in more enlightened times, has been found necessary for carrying on the business of the government. The object of legislation was then the good of the nation; not the retention or expulsion of a faction from office, or the best mode of bartering the rights of the people, of making the monarch a despot, and his subjects mere taxpaying slaves. The King, Lords, or Commons, did not re-

gard each other as the natural enemies of each other's rights and privileges. All acted in harmonious concert, for their country's welfare, and left the mere squabbles of party to their enlightened successors, being, we suppose, too deeply sunk in superstition and ignorance, to discover or comprehend that beauteous system of parliamentary and administrative chicane, which it has been the happiness of the last three centuries to witness. Such being the position and relative feelings of the great parties in the state, we are of course unable to detect any symptoms of that jealousy and distrust, which altered times and circumstances have produced. When we, therefore, find the king and lords determining questions affecting the privileges of the Commons, we are not to attribute their interference to a desire to entrench on the rights and liberties of that body, but to a willingness, on its part, to submit its doubts and difficulties to those, whose honesty or justice it had no reason to suspect.

It appears, that in earlier times, the king and his council settled most of the questions relative to seats in the Commons, where the right of the return was not controverted. If members absented themselves without license, he ordered the sheriffs to summon them back, or, if they could not come, to elect others.* He charged the sheriffs not to elect persons "suspected of crimes, or common maintainers of parties."† He with the lords made an ordinance, that sheriffs or practising lawyers, should not be elected.‡ He exonerated peers and other unqualified persons, from attendance in the Commons.§ He allowed, at the request of the speaker, one knight of a shire to attend for both.|| He received petitions, when an election was not made,¶ or when the persons chosen, were not returned by the officers,** or when impoverished cities or boroughs, wished to be relieved of the expense of sending representatives; or when, on recovering the ability to pay the wages, they demanded the restitution of the right of sending representatives.†† The Commons appear to have felt no

* Claus. 5 Ed. ii. memb. 26, dorso. Prynne's Plea for the Lords, p. 376.

† Prynne, Ibid. p. 377, 4 Ed. iii.

‡ 4 Instit. p. 10, 48.

§ Prynne, *ut supra*, p. 386—16 Rich. ii. Introduction to Glanville's Rep. p. xvi. Rot. Parl. 7 Ric. ii.

|| Prynne, Ibid. p. 364, 7 Hen. iv.

¶ Id. p. 396.

** Introd. Glanville, Rep. xix. and *Brevia Parliam.* Red. 157. In addition to those noticed in the text, there are only two other petitions of this nature, one in the 7 Ric. ii, the other in the 29 Hen. vi, neither of which was proceeded with, as the persons alleged to have been wrongfully returned, were not in fact returned.

†† Willis, Notitia Parl. vol. ii. p. 213, and preface. Rot. Parl. 8 Ed. ii. num. 233. Brief register. Survey, &c. p. 612.

jealousy of this authority, as it was invariably exercised in accordance with strict justice, and by the advice of the judges, who in those times were looked on as sacred oracles of law, and seem to have well deserved the confidence reposed in them. So satisfied were the Commons with the mode in which these matters were then regulated by the king and his council, that in the Parliament held at Westminster, in the 5th Hen. IV, because the writ of summons for the county of Rutland was not duly returned, as they conceived, "the said Commons prayed our Lord the King, and the Lords in Parliament, that this matter might be duly examined in Parliament; and that in case there should be default found in this matter, that such a punishment might be inflicted, which might become exemplary to others, to offend again in the like manner. Whereupon our said Lord the King, in full Parliament, commanded the Lords in Parliament, to examine the said matter, and to do therein, as to them should seem best in their discretions." And the lords thereupon having summoned before them, and examined the sheriff and the two rival candidates, determined that the sheriff should amend the return, and return the person really elected, and should also, for his misconduct, in making an improper return, be discharged of his office, committed prisoner to the Fleet, and make fine and ransom at the king's pleasure.*

This is the only instance, which the very laborious Prynne has been able to discover, of the lords instituting an inquiry into the circumstances of an undue return, though he sought to prove that the king and lords were anciently the sole judges of the legality of the elections of members of the Commons.† But this was an extraordinary though perfectly regular Parliamentary inquiry, instituted by the Lords at the request of the Commons, and by the command of the king, probably for the purpose of expedition, and because the case admitted of such little difficulty, the sheriff having returned one person, though the other was elected by the county, with such a total disregard of justice, as after the examination of only himself and the two rival candidates, to render him amenable to the severe punishment inflicted. We have noticed the preceding instances of interference, on the part of the king and his council, with the rights of the Commons, merely because most of the late writers on this subject, have concluded from them, that there can be no sound or constitutional principle dis-

* Prynne's exact abridgment, p. 391. Plea for the Lords, p. 391. Rot. Parl. p. 38.

† Preface to Abridgment of Records, f. 14.

covered, in the ancient mode of deciding controverted elections, and that all the jurisdiction then exercised, was only an arbitrary assumption of despotic authority, which the Commons were unable to resist, or of which they saw not the danger. But on a better examination of the authorities, it will be found, that with the above solitary exception, wherever a doubt arose as to who was really entitled to the return, the king or his council never attempted to decide it, but invariably referred it to the ordinary common-law tribunals.

We must not suppose, from the circumstance of petitions, relative to elections, having been in former days presented to the king and his council, that he or they had an arbitrary power of deciding them, according to their own fancies, such as has been exercised for the last two centuries, by the Commons and its committees. Anciently all petitions, as well parliamentary as others, were directed to the king, or to the king's council, or to the king and his council,* and at the commencement of every session, he appointed a certain number of eminent men, "for the most part such as were of the council, judges, and men of ability for that employment," to examine and dispose of those petitions.† Up to the twenty-eighth year of Edward III, we find that there was a greater number of judges among these auditors and tryers of petitions, than of any other class. Yet these auditors and tryers did not exercise any decisive jurisdiction over the petitions, but only a kind of deliberative power, or rather direction, transmitting them to the courts where they were proper to be decided. So early as the eighth year of Edward I, it was settled, that Parliamentary petitions should, according to their respective natures, be delivered to the judges of the respective courts, to whose jurisdiction they did respectively belong, viz. such as concerned the Chancery, to the Chancellor, and such as concerned other courts, to other courts. If there were matters of fact inquirable, in order to the determination of a petition, a commission was ordered to issue, to inquire into the facts according to law, *et subinde fiat justitia*.‡

Neither must we suppose that the Commons were then less jealous of their rights when actually infringed, than they are now. When Richard II, in the twenty-first year of his reign, charged the sheriffs not to return any persons who would not promise to agree to his measures, they answered, that the people would never bear to be deprived of the free-

* Hale's Jurisdiction of Parliament, p. 66.

+ Id. p. 77.

‡ Id. p. 66, 7, 8. This account of the auditors and tryers, we have taken almost *verbatim* from Hale.

dom of elections.* We find it one of the articles of the impeachment on which his deposition was founded or justified, that he frequently directed writs to the sheriffs, to return, as knights of the shires, certain persons named by himself, whom he frequently induced, by threats and gifts, to consent to measures prejudicial to the kingdom, and burdensome to the people.† Petty records the first infringements on the rights of the Commons, to have occurred in this reign, *the second* in the reign of Elizabeth.‡

We have said, that, though the king and his council determined such matters of routine convenience or arrangement as we have above noticed; yet, whenever a dispute arose, as to which of two candidates was really entitled to the return, it was always referred to the common law courts, to be decided in the ordinary manner. Thus, in the twelfth year of Edward II, a petition, presented to the king's council, complaining of an undue return for Devon, was referred to the Exchequer, to make the sheriff answer for the false return.§ In the thirty-sixth year of Edward III, the election of knights for Lancashire being controverted, a writ issued after the session to the sheriff, commanding him to inquire, at a full meeting in the county court, of knights and other good men of the commonalty, whether the two persons returned had been duly elected; and, if so, to give them their expenses; or, if others had been elected, to return their names into Chancery. The sheriff neglecting to make the inquiry, a second writ issued to the justices of the peace, to examine the matter at their next session, by the knights and other good men of the county, and to certify the result into Chancery.|| These two cases, and that in the 5th Hen. 4, are the only ones of this nature to be found on the rolls of parliament, in which it was necessary to institute any inquiry.

It appears also, by several statutes, that undue returns were to be inquired of by the common law process, and before the judges of assize. By the 7th Hen. 4, c. 15, it was provided, that "the names of the persons chosen shall be written in an indenture, under the seals of all them that did choose them,

* Rapin, No. 24, p. 430

† Artic. 19, Rot. Parl. 1 Hen. IV, memb. 20.

‡ Jus Parliamentarium, part ii. He thus entitles this part. "A short history or series, of the invasions upon the privileges of Parliament, as to freedom of speech for the redress of grievances. 1st. Begun in the reign of Richard II. 2ndly, Revived by Elizabeth. 3rdly, Continued and improved in the reign of king James I."

§ Introd. Glanville, 11.

|| Fourth Part of a Brief Register, Calendar, and Survey, &c. &c., p. 259.

and tacked to the same writ of the parliament; which indenture, so sealed and tacked, shall be holden for the sheriff's return. As in this act no special penalty was provided against sheriffs, for returns contrary to it, the 11th Hen. 4, c. 1, enacted, "that the JUSTICES assigned to take assizes shall have power to inquire, in their sessions of assizes, of such returns; and, if it be found, by inquest and due examination, before the same justices," that any sheriff should have made a "return contrary to the tenor of the said statute," he should forfeit 100*l.* to the king, and the knights unduly returned should lose their wages. In amendment of this, the 6th Hen. 6, cap. 4, provided, that the knights and sheriff should "*have their answer, and traverse*" to such inquests; and should not be endamaged, "*until they be duly convict, according to the form of the law.*" By the 8th Hen. 6, c. 7, "*the justices of assizes, in their sessions of assizes,*" are also empowered to inquire into returns contrary to that statute.

The penalty in these acts not being found sufficient to check the misconduct of sheriffs, who, as it is expressed in the preamble to the 23rd Hen. 6, c. 15, "now of late, for their singular avail and lucre, have not made due returns,"—that statute provided, that every sheriff, not duly returning the person elected, should forfeit, in addition to the 100*l.* to the king, another 100*l.* to the person entitled to the return; and that if any person returned by the sheriff, should, "after such return, be by any person put out, and another put in his place," "such person so put in the place of him which is out, if he take upon him to be knight, citizen, or burgess, at any parliament in time to come, shall forfeit to the king 100*l.*, and another 100*l.* to the knight, citizen, or burgess," so returned and put out. This sum was to be recovered by action of debt, with the process the same as "*in a writ of trespass, done against the peace, at common law;*" and, to prevent delay, the defendant was not to have wager of law or essoign.

In those times it appears that an action at law was the usual remedy pursued for an undue return. It would seem that such actions were so well known, that reporters did not think it necessary to notice them more than any ordinary cases. Neither Plowden nor Dyer mentions the case of *Bulkeley v. Rice Thomas*, on account of its being an action for a false return; but, in consequence of points involved in the pleadings, and from which it appears that the jury were to examine into the numbers and titles of the freeholders.* Even at a

* B. R. 2 & 3 Ph. and Mary; Pasch.; Dyer, f. 113; Plowd. Rep. f. 118-131.

much later period, we find an eminent judge and a jury trying an action for a false return, and examining the leases, and hearing evidence, as to the rights of fictitious voters, and giving damages for the injury which the plaintiff had sustained.*

Many circumstances, in earlier times, rendered it inexpedient for the House to exercise the right of determining the elections of its own members. Up to the time of Henry VIII, they served for the session only for which they were chosen.† Each session seldom continued for more than a few weeks,—sometimes only a few days.‡ Were the members to try each others' titles, they could scarcely decide before the session would be over. As they were paid by the day, their constituents would not be inclined to employ them as judges at a dear rate, to decide on what they did not understand. Questions of law, they, on more than one occasion, modestly confessed themselves incompetent to determine. As they always exacted their wages from their constituents, till they were taken into the service of the crown, were they to vote each other duly elected, as they could not recover their wages, except by a writ to the sheriff,—and he could not levy them without the concurrence of the electors in the County Court,—their titles should necessarily come under the cognizance of the courts of law. Had the Sheriff of Middlesex attempted to levy wages for Mr. Luttrell, though St. Stephens bestowed the seat, Westminster Hall, or the County Court, might refuse him the wages.§ However passive men may now be, in allowing persons elected by committees of the Commons to be their nominal representatives, were they to issue writs for the expenses of these their knights, citizens, and burgesses,—the taxation without representation being thus made palpable,—Englishmen would not long tolerate the grievance. It would seem, therefore, that the ancient mode of deciding controverted elections was abandoned at a very opportune period, when the bounty of the crown began to be lavished so profusely, that they could dispense with the miserable stipends of

* *Onslow v. Rapley*, Surrey Assiz. July 1681, before C. J. Pemberton. See also the case of *Bronker*, in the Star Chamber, Dyer, 168, recognised by C. J. North, in his argument on *Barnardiston v. Soame*.

† There were a few instances in which they served for two or three sessions. One parliament, in 31st and 32nd Hen. 6, sat 180 days, at four sessions, in two years.

‡ Fourth Part of a Brief Register, Calendar, and Survey, *passim*.

§ See, on the subject of wages to representatives, 23rd Hen. 6, c. 9; 6th Hen. 8, c. 18; 34th and 35th Hen. 8, c. 13 and 21; and Prynne's Fourth Part of a Brief Register, Calendar, and Survey, &c. &c., on the Writs *De Expensis Militum*.

their constituents; and when their existence was not to be limited to days, weeks, or years, but was to cease only when they should so far forget their personal interests, as not to yield an instant compliance with the dictates of the monarch.

It should not be forgotten, that,—against the ancient mode of determining the election, where the right of the return was disputed on a duly executed writ between two candidates duly qualified, and where the only question was as to who had a majority of electors voting for him,—we find no complaint made either within or without the walls of parliament. If the Commons, in Goodwin's case, had been able to point out a single instance of abuse, they would have done so. Neither should it be forgotten, that, while the judges exercised this jurisdiction, the Lords and Commons felt such confidence in their integrity, that they referred to them every important constitutional question, even as to the nature and extent of their own rights and privileges.* Of this confidence they appear to have been well worthy; and it must be regretted, that the Commons should, by their disgraceful exercise of this privilege, have so habituated all connected with them, to deciding questions of law and right,—not in accordance with justice, but with the interests of faction,—that those who were raised from among them to the bench, became the ready instruments of every act of arbitrary and despotic power, and the slaves of mere sordid corruption.

When the Commons, after the determination of Goodwin's case, resumed the exercise of the privilege (which we must suppose to have been always inherent in them, and to have been delegated to the common law tribunals, solely for the purpose of securing more regular and impartial decisions than could have been attained in a House composed of men ignorant of the law of parliament, or the law of the land, and called together for a few days only, to redress domestic grievances, or vote supplies to repel foreign enemies,) the ancient mode of determining controverted elections was superseded by the following. At the commencement of every session, the House appointed a Committee of Elections or of Privileges and Elections. At first, this committee was composed of the members most eminent for legal and constitutional knowledge. This attention to the characters of the members of the committee,

* It is scarcely necessary for us to observe, that the ancient practice was to refer every question of law to the judges; for instance, as to whether an outlaw could be a member? whether a writ was properly issued, executed, or returned? &c. &c.

was however very soon found to be inexpedient, and was, accordingly, abandoned. At first also, none but the persons selected could attend and vote; but that rule too was speedily altered, and every one who came, was allowed a voice in the proceedings. The committee, after hearing the case, reported the facts, and its own opinion, to the House, by which it was confirmed or disallowed, as to the majority seemed proper. The House also sometimes heard the cases at the bar. From 1714 to 1774, of two hundred and thirty-six petitions presented, seventy-nine were heard at the bar; seventy-six by committees, and reports agreed to by the House, and nine reported and disagreed to. Neither the House, nor the committee, nor the witnesses, were on oath.

Under this system, party-spirit and partiality were the prominent features in the guidance of the House and the committees. Prynne, who wrote in the reign of the first and second Charles, states, that "the Committee of Privileges touching elections," was, in his day, "for the most part, very partial, and for that cause, usually styled *the committee of AFFECTIONS*: he that can make most interest, and the strongest party, being sure to carry the election both at the committee and in the House, though never so foul."* In the same spirit, all cases were decided up to the passing of the Grenville Act, not relatively to the rights of the candidates, but their political opinions. As these matters were regarded as mere questions of party, they were decided like every other party question; and the candidate, whose principles coincided with those of the majority, was sure to be declared duly elected. To such a degree was this partisan mode of deciding elections at one time carried, that in 1707-8, a standing order was made, "That all questions at the trials of elections shall, if any member insist on it, be determined by BALLOT."†

The contrariety of decisions arising from this mode of proceeding, was incredibly extravagant. If one class of electors were declared the legal voters at one election, at the following, quite a different class might be the favourites.‡ The rights of the electors varied as the politics of the House and the candidates. Such a course was necessarily productive of interminable contention. At length, to meet this evil, an Act was passed to prohibit sheriffs from returning any member to serve in Parliament contrary to the last determination of the

* Plea for the Lords, p. 413.

† Com. Journ. vol. xv. p. 551, col. 1 and 2.

‡ See a list of these determinations in "Simeon on Elections," App. No. vi.

House on the right of election,* and afterwards by another, the House itself was bound by the last determination.† How gross must have been the disgust entertained against their proceedings, when they thus bound themselves to acquiesce in the last determination, however flagrant might have been its injustice!!!

In 1770, Mr. Grenville introduced the measure which has since gone by his name.‡ It was at once seen that the proposed system would in some degree check the exercise of partiality, by diminishing the numbers who were to share the opprobrium. Lord North opposed it, as did also his friends, who, professing the most praiseworthy anxiety to secure the integrity and independence of the Commons, would not believe that any act of Parliament could deprive the House of one of its most important privileges—a privilege of the very essence of its constitution—by transferring the decision of elections to committees, which might act as independently of the wishes of the House, as the judges of Westminster Hall.§ The bill became an act,|| limited as an experiment to seven years; “but four causes having been tried under it, the justice of the decisions (so different from former examples) rendered it almost the idol of the public,¶ and in 1774, it was made perpetual.**

By this act, the following mode of forming a tribunal for the trial of elections was adopted. On the day appointed for taking a petition into consideration, the names of one hundred members then present in the House were put into six glasses, and the clerk drew out a name from each glass alternately, till he had drawn forty-nine. The parties then selected each a person from among the other members present, who were called *nominees*. They next alternately struck off a name from the list of forty-nine, till it was reduced to thirteen. These thirteen and the two nominees formed the committee. They were sworn to give judgment according to evidence, and received powers somewhat similar to the ordinary courts of justice. From these, however, they differed in two essen-

* 7 & 8 Will. III. c. 8, sec. 1.

† 2 Geo. II. c. 24, sec. 24.

‡ “I will endeavour,” said Mr. Grenville, “to give some check to the abominable prostitution of the Commons in elections, in voting for whoever has the support of the minister, which must end in the ruin of public liberty, if it be not checked.”—See Parl. History, vol. 16, col. 905, *note*.

§ See Parl. History, vol. 16, col. 907-910-11-13-15.

|| 10 Geo. III. c. 16.

¶ Douglas. *Introd. to Hist. of Controv. Elections*, p. 17.

** 14 Geo. III. c. 15.

tial particulars : unlike juries, they determined questions, on which they differed, by a majority of voices ; and, unlike judges, they were empowered to settle their opinions in private, and to assign no reasons for their decisions.

This measure was regarded as a great improvement on the former system, and for some years worked with considerable satisfaction. It was not, however, wholly secure from the leaven of partiality and party, and it came to many decisions as irreconcilable with justice, as those of the House itself.* The nominees were commonly men, on whose friendship as well as ability the respective parties could rely ; while the other members were usually young men, without experience in legal or parliamentary proceedings. Such was the mode in which those committees soon began to "administer justice," that Fox characterised them as consisting of "thirteen fools and two scoundrels." This measure was found liable to the charge of delay. Session after session elapsed, before some of the petitions could be heard ; and a man was, after incurring considerable expense, in fees, &c. &c., sometimes declared duly elected, when parliament was approaching a dissolution. From 1774 to 1790, we find, of one hundred and eighty-two petitions presented, sixty-eight once deferred, and seven twice deferred ; and of ninety presented from 1790 to 1801, sixty-three deferred.†

An unreformed House of Commons found it necessary to apply a remedy to the evils of this system. By the 9th Geo. IV, c. 22, nominees were dispensed with, and the committee reduced to eleven, formed from a list of thirty-three, in the same manner as under the Grenville Act. It was expected that by thus diminishing the numbers, among whom the disgrace of disregarding their oaths and justice would be divided, the country would be secured against a repetition of the former exhibitions of *political bias*. This is the measure which is at present in operation.

In 1836, a committee having been appointed to devise some means for the amendment of this system, made a report. In accordance with the recommendations in this report, Mr. Buller's bill was framed. The principal features of it were, that the committee should consist of five members ; that each party should be allowed only five challenges ; and that three assessors, to hold office till dismissed by the Crown, on an address from

* See for instance the Westminster case of 1788.

† See Indexes to C. Journals for those periods.

the Commons, should be appointed by the speaker, subject to disapproval by the house, at a salary of £2,500 a year, to act as chairmen, but not to vote. The committee were to deliberate and decide, as under the present law,—but the names of the members for or against any resolution, should be entered on the minutes, and announced by the chairman, who should, at the same time, express his own assent to, or dissent from, the resolution of the committee. This bill has been abandoned.

Of Sir Robert Peel's bill, which follows this, in chronological order, the following are the outlines. At the beginning of every session, the speaker is to appoint six members, subject to the disapproval of the house,—to be a general committee, to whom all election petitions shall in the first instance be referred,—and an alphabetical list of the names of all members not excused from serving on election committees, is to be made out, and divided into five equal pannells. The clerk shall decide at the table of the house, the order in which the pannells are to be referred back to the general committee, who, from the first pannell referred to them, are to select the committees for the first week's list of petitions, and so on with the remainder. The majority of the committee are to select, from the pannell, seven members, who are to be challenged by the parties for cause only,—and are to be set aside, if the majority of the committee be satisfied of their disqualification; in which case, they are to select other names, till they and the parties agree on some seven members, who are to get notice of their appointment, and if they should not then be excused, are to be a committee to decide after the present fashion,—but the names of those voting on the affirmative or negative of any resolution, are to be entered on the minutes, and reported to the house.

The reader may perceive in these bills, a farther acknowledgment of the necessity of increasing the responsibility, by diminishing the numbers of the committee. This scheme of *reductio ad honestum*, if properly followed, will bring committees in a few years to the numbers 3—1—0.

As the writer of the first pamphlet on our list, has anticipated us in many observations on the nature of these measures, we shall briefly give the substance of his reasoning. He contends, that though the speaker would nominally have the appointment of the assessors, and of the general committee, yet it would rest virtually with the majority of the house, as they could reject every one proposed, till some favourites of their own should be appointed. This duty would moreover

place the speaker in an invidious position, and would tend to lessen the confidence in him, on other occasions. No barristers in respectable practice would take such an office with such a salary, and none else would be likely to give satisfaction. Such men would not be looked to with great deference, if their opinions were once over-ruled by members of the committee, of supposed superior acquirements. As the assessors would have very little to do, except in the first session after a general election, it was recommended in the report of the Committee on Controverted Elections, that they should form a court of appeal from the revising barristers' decisions, and thus be continually employed. Of this proposition, Mr. Bankes exposes the futility, by stating, that all the questions on which revising barristers differ, may be easily settled in a term or two, by a few competent judges. These are Mr. Bankes' objections, but many others are obvious to any legally educated mind.

It had always been an objection against a decision of one election committee being a precedent for another committee, that no reasons were assigned for the judgment.* It was also considered, that committees, by being allowed to decide by majorities, without announcing even the numbers voting on either side of a disputed resolution, were encouraged to defeat justice, as the innocent and guilty were equally undistinguishable. In both the present measures there are attempts to meet this evil; but in a manner inadequate to the object, and impossible to be adopted in practice. Committees unite the functions of judge and jury, as they decide on the law and facts. These functions they may combine, but should not confound. Juries having to decide on the credibility of witnesses, are not required to give reasons for their verdict. Judges, on the contrary, mostly state the reasons on which their decisions, on questions of law, are founded; and it is such reasons only "as follow, *ex necessitate*, from a comparison of the decision with the state of the case, which are binding in succeeding cases."* In this manner also committees should be compelled to act. When they decide on questions of law, they should decide, like the judges, openly; each person delivering his own opinion, and his reasons: and when they determine on questions of fact, they should do so, like juries, in secret. But by the proposed measures, they are not to assign their reasons on questions of law; and they

* Douglas, History of Controverted Elections, Introduc. p. 39.

are to expose their names, as to how they decide on the credibility of witnesses. Thus, gentlemen may be compelled to declare, in substance, if not in words, that they did not believe a very particular, or a very fire-eating, friend, on his oath. Who would serve on a committee under such circumstances?

But we shall be told, that they can no longer be trusted with the privilege of secrecy on questions of fact; and no one could expect men, "called upon to determine questions of law, of which they know nothing,"* to be able to state the reasons of their decisions. If they are incapable of stating the reasons of their decisions, why should they be allowed to determine what they do not understand; and to deliver a judgment, as to the correctness of which they cannot even form an opinion?

The assessors under Mr. Buller's bill would not remove the objection against decisions of one committee not being precedents for the guidance of others. As the committee would determine every matter coming before it, finally, without appeal, either in accordance with, or against, the opinion of the presiding assessor, those decisions on points of law would not be conclusive on other parties. For, first of all, the committee would decide, without stating reasons, by the mute logic of numbers; if they decided against the opinion of the assessor, their judgment would not be entitled to very great respect; and if they decided in accordance with his opinion, few still would be disposed to regard a barrister of seven years' standing as an infallible oracle of law. Even the three assessors might differ on some questions, or two might overrule the third, who, perhaps, in the estimation of the profession and the public, might be regarded as superior to a score of such colleagues. Thus the committees and assessors might decide cases, but could never settle a question; and persons under the same circumstances as those decided by one committee and assessor, would take the chance of having them tried by another committee and another assessor. Such a course would, like the present, be productive of endless litigation, and is obviously against the very spirit of all legislative and judicial proceedings;—the object of which is to define and fix the law so clearly, that when the same circumstances again arise, every one will know the law applicable to them. We may be pardoned for laying before our readers a passage on this subject from Mr. Douglas's admirable work.

* Vide Rep. of Sel. Com. on Controv. Elections, p. 1.

He conceived, that "to attain the same uniformity and consistency in the law of elections, which prevails in every other branch of our law, was one of the great objects of the legislature, when they passed the 10th Geo. 3;" and that the doctrine that the determination of one committee ought not to bind any future committee, "would entirely defeat what he looks upon to be by far the most important object of the new judicature, and, indeed, of all tribunals of every sort; inasmuch as the establishment of fixed and invariable rules of law, in which every individual of the commonwealth is interested, is of more serious consequence than the mere decision of a particular dispute between two individuals,—the main end of all civil polity being rather to prevent litigation, than to put an end to it when it has arisen."* This "end of all civil polity," Mr. Buller's assessors would not be likely to attain.

Mr. Buller's committee proposed to make these three young gentlemen a court of appeal from all the revising barristers of the kingdom. Such a measure would be directly opposed to the Reform Act, and to the subsequent decisions of committees, which have placed the right to the franchise almost completely beyond the control of the House, by making the revising barristers' decision conclusive, where no objection is made at the registry. The revising barristers are totally independent of the House; and if a court of appeal be necessary, it should be as independent, at least, as the courts over which it would claim jurisdiction; otherwise this anomaly might be presented:—the House of Commons may, in a few years, entertain peculiar views on certain rights of election, and would, of course, appoint to the office of assessors men who coincided in those views. In such a case the revising barristers would decide those rights according to *the law of the land*; and the assessors, according to *the law of the House of Commons*. Lest such an event should occur, ought not the court of appeal to be as independent of the House as the courts of the revising barristers?

The appointment of these assessors would be a very dangerous experiment to the liberties of the nation. If they were once appointed, it is probable that, under the sanction of the supposed superiority of these new tribunals, both on election petitions as well as on appeals, all the decisions of revising barristers would be reopened and reconsidered by them; and

* History of Con. Elec. Introduc. p. 20-5.

that the present doctrine that all are final, to which no objections are made at the registry, would be set aside as *unconstitutional*,—either by a refined process of reasoning, or by the express words of another enactment. Nothing is more to be dreaded. If the Commons again obtain the power of making or unmaking constituencies at will,—either by the votes of its members, or by the interposition of its officers,—who can tell what use may be made of it? We could very easily show, that when first it assumed this privilege, the rights of election were more popular than they are at present; and that the House voted them away according to the exigencies of its political partizans. If the same power be once more acquired, abuses may again creep in; and in the course of a few centuries, another Reform Bill may be necessary. As the body is a varying, fluctuating one, nothing can be more unreasonable than that the dearest rights of the nation should be dependent on the arbitrary votes of its accidental majorities. People should enjoy their rights on some more certain tenure. It is unknown to what extremities political or religious phrenzy may again drive those majorities; and if they have the power, abuses are sure to follow.

The reader may perceive, that the selection of the special committee, under Sir Robert Peel's bill, may be attended with considerable delay. But to this measure, there is another, and a much more serious objection. It is intended, that the general committee shall be chosen equally from all parties in the House, according to their relative numbers. Supposing it were composed equally of whigs, tories, and radicals; if any two of these unite, they may appoint what members they please, as they need not allow the challenges of either party. If the whigs and radicals should chuse the seven members against the wishes of their conservative colleagues, and refuse the challenges of the conservative agents, would the conservative party expect justice from such a committee? Such things must necessarily follow from the working of such a measure.

The various other proposals which have been lately made for the amendment of this jurisdiction, deserve to be considered. Mr. Banks recommends the revival of the old Committee of Elections and Privileges, with extraordinary judicial and legislative powers, to determine and settle disputed questions of law, and to make preliminary arrangements for the trial of petitions. He also recommends the continuance of the present Select Committees, and the revival of nominees, with, however, in both cases, some modi-

fications in the mode of appointment. His arguments in support of these views exhibit, we must confess, much ingenuity and ability; but we fear that this machinery would be found to be, in practice, too cumbrous and complicated to give satisfaction. Of all the gentlemen who have made, within these few years, any distinct propositions on this subject, he appears to have entertained the most profound veneration for the maintenance of this privilege of the Commons, and the greatest abhorrence of any attempt to abridge it. In these feelings, he appears to stand almost alone among his professional brethren, at least, among those of them who have committed their thoughts to print. Mr. Rutherford proposes, that a tribunal should be formed of six members of the House, as a committee; and "a judge in Westminster Hall," acting as president; who should decide all questions of law, and give a casting vote when the committee might divide equally, on a point of fact. He would allow an appeal on questions of law, to the judges in *banc*, which should be final. As no judge engaged in the ordinary administration of justice, would compromise his character, by arbitrarily deciding matters of fact between leading political parties, a judge should be appointed for the purpose; and that is Mr. Buller's proposition.

The next writer on our list, suggests, what he considers, "a reasonable compromise." "As the right of voting does not originate with the Commons' writ," he proposes, that "the registration of voters should be left entirely to the Courts of Revision, not indeed as at present constituted," "and subject only to the reconsideration of a legal court of appeal, to be established for that purpose;" and, that the Commons should "still retain their jurisdiction over the proceedings which are set on foot by their writ, or, which have reference to the election," and over such "as relate to the disqualification of voters from causes subsequent to the registration." This gentleman seems to be a bold reformer. He, however, offers no suggestions for the erection of the new, or the improvement of the existing, tribunals. Were he to follow out his own principle, that the Commons should not exercise control over any questions which did not originate with their writ, he would leave them very little jurisdiction indeed, as the writs for a general election, originate from "Our sovereign lady the Queen."

The opposition to the House continuing in the exercise of this jurisdiction, has been rapidly progressing during the present year. Lord Mahon, in the commencement of the past

session, made that motion to which we have already referred, declaring, that the objects of justice, uniformity, and despatch, would be best attained by a tribunal, not consisting of members of the House ; and even questioned its right to determine elections affecting its own constitution. The tribunal which the noble viscount proposed, was to consist of three assessors, who were to determine all election petitions, and serve as a court of appeal from the revising barristers' decisions. So disposed was he to make those gentlemen entirely independent of the House, that he expressed a desire that they might be appointed by the judges ; but he finally proposed, that they should be selected by the great parties of the House. The gentlemen who report the proceedings of election committees for the special instruction of the legal profession, have followed in the wake of Lord Mahon, and pronounced this jurisdiction of the Commons, an "usurpation."

It is unnecessary to mention all the proposals which have been suggested for the removal of the existing, and the prevention of future abuses. It is rather singular, that every conceivable species of tribunal has been suggested, but that which alone gave satisfaction ; against which, the Commons never made a complaint, and which was superseded for no other reason, than that it did not place the seats of the individual members sufficiently at the disposal—not of their own constituents—but of a factious, a packed, or a pensioned, majority ; which has been found, in all other cases, the best safeguard of our freedom—the best adapted to our feelings and habits—which has stood the test of ages—to which foreign speculators in law and liberty now look with admiration—and for the adoption of which, among themselves, they are disposed to perpetrate revolutions. Why is every new-fangled tribunal which a fantastic mind can conjure up, deemed worthy of consideration ; while all pass by, with a sneer of statesmanlike contempt, the good old trial by jury ? Is the latter too vulgar and common-place, and of too plebeian a character, to be patronized by those legislators, who conceive it derogatory to their dignity to have their rights, or offences, investigated in any tribunal but the "High Court of Parliament" ? What is there objectionable in the trial by jury ? Why, if it be the best to try A. B. for burglary, is it not the best to try him for bribery ? What is there in it which unfits it for determining the first and greatest of the rights of Britons ?

Why, if it is the best for trying every question affecting the life, the liberty, and the property, of the subject, is it not the best for trying that, on which all these must primarily depend?

There has, as yet, been only one individual found bold enough to suggest the trial by jury in the Commons. When first he suggested that tribunal, the proposition was regarded as so *outré*—so inconsistent with all received notions as to the dignity of that “High Court of Parliament”—so destructive of the privilege which was considered essential to its constitution, and the best safeguard of its purity and independence, that it was noticed only for its singularity. But we believe that many have since altered their opinions with regard to it; and, that the more it is fairly and deliberately examined, the more will it be found entitled to respect. Let us see what is its real nature. It is, we believe, that in the trial of controverted elections, all the questions arising for decision, should be referred to the ordinary tribunals; questions of law, to the judges; and questions of fact, to the juries; and that there should be a general committee appointed, to watch, to superintend, and to report, the proceedings to the House, if a report should be necessary. This was the course pursued in earlier and purer times, and to this must the House finally revert. By delegating its present jurisdiction to the ordinary tribunals, it would not surrender that privilege, of which it exhibits such jealousy; it would only assign its exercise to those whom it regarded as more competent to discharge it; and, by appointing a general superintending committee, it would provide that no flagrant violation of electoral rights could escape, without being visited with its censure and indignant vengeance. The duty of this committee, would be, not to go into court, and hear every question decided; but to sit in St. Stephen’s, to receive reports of the proceedings in the various courts, and to bring any particular facts under the notice of the House, when its dignity or independence should require it.

To this proposition, there is a serious objection usually started *in limine*. We are asked, “Would you make the Lords, the judges of the electoral rights of the Commons?” Our answer simply is, “We would not.” In this, also, we would revert to the earlier practice. The appellate jurisdiction of the Lords, is well known to be a modern assumption. We would, therefore, remove this objection, by providing, that in all questions in any manner affecting the rights of election, the common law judges should be the supreme appellate authorities, the

Exchequer chamber the tribunal of final resort. Supposing the appellate jurisdiction of the Lords thus excluded, and the existence of a permanent superintending committee, let us see what might be the result of submitting all questions affecting the rights of election, to the ordinary tribunals.

The present practice of committees deciding finally the rights of electors on questions raised between two candidates, is directly opposed to a fundamental principle of law, that “a transaction between two parties in judicial proceedings, ought not to be binding on a third;”^{*} and which is so pithily expressed by “*res inter alios acta*.” Is it not obviously unjust, that anything done in a cause between two candidates, should affect the rights of electors, who are not parties to it? A candidate may not be able to defray the expense of defending every vote, or may not know the defence which the voter himself would suggest, if he were present; or may even connive at some votes being struck off. Even those judges who have not scrupled to support this privilege to the utmost extent, have doubted whether a determination on the claims of a candidate, incidentally involving a decision on the rights of electors, would be binding in other cases on the rights of the latter;[†] while many eminent authorities have directly declared that it cannot.[‡] But the Commons allow neither doubt nor scruple, and seem to regard the electoral rights of the people as such insignificant trifles,^{||} that they may dispose of them as they please, without being restricted by any principles of law or justice. In the Westmeath case, the committee determined to try more than 800 cases in London, without giving the voters the least notice of the intended attack on their franchise. In England such decisions are conclusive on the rights of the voters in every case, till the succeeding registration; in Ireland the voters are protected only by an instrumental difficulty not originally contemplated by the Commons. As it is evidently unjust that men’s rights should in any case be affected by proceedings to which they are not parties, a remedy should be provided.

We would therefore recommend, that all questions relative to any man’s right of voting, should be decided by a tribunal independent of the House, and where he himself could be

^{*} Lord C. J. De Grey, delivering the opinions of the judges in the *Duchess of Kingston’s case*, St. Tr.

[†] Lord C. J. North, in *Barnardiston v. Soame*.

[‡] C. J. Willes, Willes Rep. p. 607; *Ashby v. White*, *passim*.

^{||} *De minimis non curat lex*, was the maxim applied to the franchise by the judges who differed from Holt in the *Aylesbury case*!!!

present, and would have due notice of every objection. To place the arguments for this proposition in an intelligible form before the unprofessional reader, we shall state the present practice. The decisions of the revising barrister are conclusive, except where there is an objection made at the registry. But if he reject a claim, or admit one which is objected to, neither claimant nor objector has any remedy, except on appeal to an election committee. In Ireland, the claimant rejected, but not the objector, can appeal to a judge of assize, who, if the appeal be on a question of value, decides it by the aid of a jury; if on a question of law, determines it himself. In Scotland both claimant and objector are allowed to appeal. There, and in Ireland also, both parties should be allowed to appeal to the judge of assize, and from him to the superior courts, as in all other cases.

It is obviously unjust, that parties having a right to the franchise, should be debarred of it by the decisions of revising barristers, and have no redress, except by an appeal to committees. No courts in the kingdom are more remarkable for contradictory decisions than those of revising barristers.* Men, who are declared qualified electors this year, were perhaps rejected last year, and will be next year. We have known a revising barrister to strike a name from a list in one town, and on farther consideration two days afterwards, retain another under precisely the same circumstances. Nothing can be more inconsistent than their decisions. If men have a right to the franchise, they should be allowed the same facilities for securing the enjoyment of it, as of any other right; and this can be done only by allowing an appeal to some of the superior ordinary tribunals. This course, in addition to satisfying the ends of justice, would tend to fix the law and prevent litigation. As at present the decisions of one barrister are not precedents to bind any other, the same questions are regularly debated each successive year, before the different Registry Courts, in every corner of the country. But, if an appeal were allowed, as the judgments of the superior courts are conclusive on every inferior tribunal, they would at once put these disputed points to rest for ever. Thus the country would be spared considerable expense;† litigation and the

* There can be no reason to exclude counsel from these courts, which would not also exclude them from election committee-rooms, quarter-sessions, &c. &c. Were they allowed to appear, the judges would in all probability give the office of revising barrister to the most worthy, and not to their friends and relatives, as it appears is their present practice.

† As revising barristers are paid by the day, time wasted in hearing the same arguments year after year, is equivalent to so much money uselessly expended.

angry feelings which attend it, would cease; and all parties would know their rights and enjoy them securely.

It might be objected, that committing the decisions of election cases to the judges, on appeal, would render them liable to charges of political bias, and tend to diminish the respect with which they are habitually regarded. Against so serious an evil, provision could be made in the following manner. The decision of the revising barrister should be conclusive of the right to vote, unless an appeal should be lodged. If an election should take place between the period of the barrister's deciding, and the hearing of the appeal before the judge of assize, the decision of the former should be conclusive of the right to vote at that election; and on the same principle throughout all the stages of the appeal up to the Court of Error, the last decision prior to an election should be conclusive against all courts, of the right to vote at that election. But as an important question affecting a whole class of voters may be involved in the appeal, it should be allowed to proceed and be decided in the ordinary manner.

By this course, each judicial officer would decide on the right of voting, before that right would be actually exercised: and until a man has voted, politics enter not into the question as to whether he has a right to vote. The franchise, like every other right annexed to a man's person or property, is merely a civil right, and does not assume a political character, till it has been exercised in support of a political party. Therefore, a decision in this stage, could not expose a judge to charges of political bias. Moreover, every decision by the judges on appeal, though apparently particular, as being delivered on individual cases, yet would be really general, as it would be conclusive on all voters or persons under the same circumstances. It would be merely an interpretation of the law as applicable to parties of all classes and shades of political character. We may take for example, a decision of the *rexata questio*, as to whether trustees without a beneficial interest, are entitled to vote under the apparently contradictory clauses of the Reform Act. A decision on this by the superior courts would be a general one equally affecting all parties, without a tincture of politics, and would determine the question for ever. The same principle would apply to every other decision by them. They would decide on the abstract civil right, without reference to the mode in which it might be afterwards exercised, as to whether all persons in A.B.'s circumstances would be entitled to protect their persons

and property by their votes at the next election; and not whether A.B.'s name should be struck from the poll of Lord John or Sir Robert. If committees had to decide the same questions under the same favourable circumstances, they would scarce be accused of partiality. Even they do not exhibit their *bias*, till the case between the rival candidates is approaching such a crisis, that each vote becomes a matter of importance as to the final result of the struggle. Then only do they lose their self-respect and sacrifice justice to faction. When we find them acting thus, and revising barristers never impeached, though coming to the most extraordinary decisions, can we suppose that the judges would be exposed to the slightest imputation?

We may now allude to the practice at the poll. By the Reform Act three questions may be put to the voter; the first is, as to identity; the second, as to whether he has voted before at that election; and the third, as to whether he has still the same qualification for which he registered.* Two committees of the past session,†—of one of which Sir Robert Peel was chairman,—refused to hear evidence as to the loss of qualification before the election, unless the third question were put at the poll. The same principle would extend to the other questions, and the correctness of these decisions scarcely admits of a doubt. A petition is in substance an appeal from the hustings to a committee, and it is a general principle respecting appeals, that parties cannot raise questions in the superior court, which they have neglected to raise before the inferior tribunal. This principle has been adopted into the Reform Act: a man cannot object to another, in the Registry Court, unless he has served notice of objection, and if he do not object there, he cannot object ever after. Thus, according to the present law, committees should not interfere, when the questions have not been put, or have been truly answered. But if false answers be given? The Reform Act makes such an offence a misdemeanour punishable by fine and imprisonment. Parties should not be allowed to impeach votes on this ground, unless they should produce a record of the conviction from the sessions or assizes, which should be conclusive before the committee. When it would be thus the interest, nay, the duty precedent of a candidate, to prosecute for false answers,

* If the registry were to be made conclusive for one or more years as to the qualification, and this third question consequently dispensed with, what an immense amount of litigation would be thereby prevented?

† Walsall and Evesham.

before trying his petition, offences of that class would soon be rarities.*

By the course now suggested, every man's right to vote would be determined in his own presence, and by a competent impartial tribunal. The only questions, which could then come before committees, would be, the abuse of the right of voting, through bribery, treating, intimidation, &c., the qualifications of candidates, and false or double returns. These are points, the determination of which, the House may not be easily induced to resign. But here also, a great deal may be done by the intervention of the ordinary tribunals.

Let us first consider the cases of bribery, treating, and intimidation. By several statutes, severe penalties are provided against persons guilty of any of these offences. Would it not be reasonable in such cases, to have them tried under these laws by a judge and jury, and have the judgment returned to the House as conclusive on the question?

But by the strict rules of law, many persons really guilty might escape, whom a committee could convict? That this is very possible, no one would doubt, who would only refer to some of the committees of recent sessions. To prove our impartiality, we will select Hull and Shaftesbury. The latter acquitted the present sitting member of the charge of treating, in circumstances, under which no jury *could*; the former convicted men of bribery, whom it was at least possible to acquit without any violation of law or justice. The power which a committee possesses of convicting or acquitting by a bare majority, is not useful to the administration of justice and the discretion, which is claimed for them, of dispensing with the ordinary rules of law, is the cause, in some degree, of the corruption against which the public voice now so loudly exclaims. It was originally assumed, for the purpose, real or pretended, of doing *substantial justice*, and of convicting those, who though morally, might not be legally guilty; but it has been perverted to the purpose of convicting those who are morally and legally innocent, and of acquitting those who are morally and legally guilty.

It has been said, that judges and juries might display as much *political bias* as committees. This objection being commonly considered very serious, we shall first examine that

* To make this complete in detail, revenue officers and others, who are prohibited from voting by several Acts, passed prior to the adoption of the system of registration, should be disabled from registering, or a fourth question, applicable to them, should be enacted.

portion of it, which affects juries. We must not suppose that it is as difficult to find twelve men in a remote corner of the kingdom, free from the violent impulse of political feeling, as in the House of Commons. When any one enters the latter place, he necessarily becomes attached to some political party, or originates a sect of his own. But in the country, there are thousands of men qualified to serve on juries, who are seldom or never aroused by political feeling, and scarce comprehend, or at least pay very little attention to, the differences, which agitate the great parties of the state. Such persons, called to try a man for bribery, &c. &c., would regard the charge more as to its effect on the individual impeached, than its remote contingent influence on some political party. Are not trials under the bribery laws, and other causes of the greatest political excitement, of continual occurrence, and yet, who complains of, or proposes a substitute for, the trial by jury? The merits of this mode of trial are so well known, that it would be now as "ridiculous excess" to eulogize them, as to throw "perfume on the violet;" but we feel compelled to call attention to the advantages, which it offers over the trial by committees. A committee once chosen to try a petition, has the decision of every question relative to that petition, and thus can, by a regular series of determinations, return whom they please. But were the ordinary tribunals to be employed, the practice would be different. Let us suppose, that as occurred in the Hull case, either party sought to strike several names from the poll, on the ground of bribery. As the charge against each voter would form the subject of a separate trial, if either party should be dissatisfied with the verdict on the first case, they could impanel another jury for the second. Thus each jury having to decide only one question, it would see, that as so many others were to be tried, its solitary verdict on that one, could not go far towards securing the victory to either side, while it might injure their own characters, and prevent them from being again impanelled; and they would therefore be less influenced by the spirit of party on arriving at their decision. There would be this farther check on each jury, that, if it, imitating committees, should decide against evidence, or without it, its verdict could be set aside, and the question retried by another more impartial pannel. Moreover, if political feeling raged very high in one place, either party might procure the removal of the trials to some other place, and would enjoy this farther security, that they would not be limited in objections founded on proper

and reasonable causes. By the means now suggested, there would be a chance of procuring as impartial a trial of any petition, as the nature of human frailty would allow. But if in the course of a few years, it should be found, that all the juries in the nation were so corrupted by the examples of committees, as to lose all respect for their oaths, for law and justice, it would be then due time to restore to the latter the exclusive enjoyment of their much cherished privilege.

Many of the arguments, which we have urged with regard to juries, are applicable also to the judges. If one were to misstate the law or evidence to a jury, there would be the fourteen others to appeal to, for his correction; and as the several portions of a petition *may* be tried before different judges, the *fractional* aid which any one could give to either party, would not be of sufficient importance, to induce him to sacrifice his professional character to his political feelings. The questions coming before the superior courts from the sessions or assizes, would be in reality general ones; and as the principles which would be derived from them, might tell equally against all parties, they could not be biassed to any, — their judgments not being exactly as variable as those of election committees. The judges being usually selected from all parties, the political feelings of one portion might counteract those of the other. It is idle to talk of the power of the crown, as likely to influence their conduct. The power of the Crown is now in reality the power of the Commons. But were they distinct, as the Commons could by address remove any one who exhibited political obliquity on the judgment-seat, their displeasure would be as great a check to party bias, as the favour of the Crown might be an incentive to it. How much better would it be, that the judges should enjoy this jurisdiction, subject to so many restrictions, than that the Commons should exercise it, freed from all appeal, controul, and responsibility?

In considering the propriety of any proposals for amending the present jurisdiction in controverted elections, we should recollect, that those who have been the most zealous advocates of the House retaining the exercise of the privilege in its own hands, have been the individuals most hostile to its independence. Mr. Grenville's attachment to its real dignity cannot be questioned; yet, the slight improvement which he proposed, was resisted on the pretence of its being a violation of this constitutional privilege, by Lord North and his adherents. As the House has improved in moral tone, it has been more disposed

to check the abuses of this privilege ; and those most attached to its purity and freedom, have been the most desirous of depriving it of a power which was mainly conducive to rendering it independent of those whom it called its constituents, and to reducing it to that state of corruption from which the Reform Act was found necessary to restore it. The framers of that measure seem to have been aware of the dangerous nature of this privilege ; for, by its provisions, as interpreted by the subsequent decisions of committees, the jurisdiction as to any man's right to vote, has been almost completely removed out of the control of the House, and placed in the hands of men who are appointed—not by the House, or by the ministers of the Crown, who may be regarded only as the leaders of its majorities—but, by the only independent and competent body in the country,—the common-law judges.*

Neither should we, in weighing any proposals for transferring this jurisdiction to the ordinary tribunals, forget that, until the Commons became an example of violence and corruption to all the kingdom, the judges, as a body, had never suffered the slightest imputation on their character. The evil influence of the *representatives* of the nation selling their votes as legislators, and deciding every question as judges, with an utter contempt for justice, and invariably in favour of the party to which they belonged, could not but have extended its baneful effects to every other tribunal of the country. Should we wonder that, when justice was thus tainted at its source, the laws should be administered in the same spirit by the inferior courts, in which they were enacted and administered in parliament ; and that the judges should become as indifferent to right and wrong, and to their own hitherto unsullied characters, as those in the wake of whose corruption they were drifted along ? Tracing the history of the judicial character from the earliest period of our annals, we do not find that the judges, as a body, were ever known to forget their duty as impartial expounders of the law, till the reign of Richard II, when several were condemned by the Lords and Commons for unconstitutional opinions, which, according to their defences, the king had compelled them to sign, at the imminent peril of their lives. From that time, till the reign of James I, the judicial character remained unblemished, with, however, a few well-known individual exceptions. In the latter reign, they forsook that line of conduct which had se-

* This passage applies only to England and Scotland.

and reasonable causes. By the means now suggested, there would be a chance of procuring as impartial a trial of any petition, as the nature of human frailty would allow. But if in the course of a few years, it should be found, that all the juries in the nation were so corrupted by the examples of committees, as to lose all respect for their oaths, for law and justice, it would be then due time to restore to the latter the exclusive enjoyment of their much cherished privilege.

Many of the arguments, which we have urged with regard to juries, are applicable also to the judges. If one were to misstate the law or evidence to a jury, there would be the fourteen others to appeal to, for his correction; and as the several portions of a petition *may* be tried before different judges, the *fractional* aid which any one could give to either party, would not be of sufficient importance, to induce him to sacrifice his professional character to his political feelings. The questions coming before the superior courts from the sessions or assizes, would be in reality general ones; and as the principles which would be derived from them, might tell equally against all parties, they could not be biassed to any, — their judgments not being exactly as variable as those of election committees. The judges being usually selected from all parties, the political feelings of one portion might counteract those of the other. It is idle to talk of the power of the crown, as likely to influence their conduct. The power of the Crown is now in reality the power of the Commons. But were they distinct, as the Commons could by address remove any one who exhibited political obliquity on the judgment-seat, their displeasure would be as great a check to party bias, as the favour of the Crown might be an incentive to it. How much better would it be, that the judges should enjoy this jurisdiction, subject to so many restrictions, than that the Commons should exercise it, freed from all appeal, controul, and responsibility?

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cured to them the respect of preceding ages ; and, in the reign of Charles I, completed the measure of their own degradation. From that period to the revolution, they were, with one or two noble exceptions, the mere minions of the Crown. From the Revolution till the reign of George III, there was little confidence placed in their firmness, when holding the balance between the subject and the executive. From the latter period, they have been gradually recovering their pristine spotlessness of character. We cannot exhibit the contrast between the judges of earlier times, and those of the seventeenth century, better, than by placing before our readers a passage from Clarendon, on the conduct of those by whom the ship-money question was determined.

“ And no question, as the exorbitancy of the House of Commons proceeded principally from their contempt, and that contempt from the scandal of that judgment, so the concurrence of the House of Peers in that fury can be imputed to no one thing more than the irreverence and scorn the judges were justly in, who had been always before looked upon there as oracles of the law, and the best guides to that House in their opinions and actions ; and the Lords now thought themselves excused from swerving from the rules and customs of their predecessors (who in altering and making of laws, and in judging of things and persons, had always observed the advice of those sages) in not asking questions of those whom they knew nobody would believe, thinking it a just reproach upon them (who out of their courtship had submitted the difficulties and mysteries of the law to be measured by the standard of what they called general reason, and explained by the wisdom of state) that they themselves should make use of the license which others had taught them, and determine that to be law which they thought to be reasonable, or found to be convenient. *If these men had preserved the simplicity of their ancestors, in severely and strictly defending the laws*, other men had observed the modesty of theirs, in humbly and dutifully obeying them.”* Those ancient judges lauded by Clarendon, held their offices during the pleasure of the Crown ; whence we may infer, that the returning improvement in the conduct of the judges, from the Revolution to the present time, is not attributable solely to the increased security of their tenure of office. Seeing that the judges maintained the ermine unblemished, till the Com-

* History of the Rebellion, Vol. I. p. 55. Oxford Ed. 1740.

mons set the example of corruption; and, as the latter have amended, a similar improvement is observable in the former, may we not conclude that if this "*high court of parliament*" were to cease encouraging the nation, by its conduct, to a contempt for the laws, every other court would entertain a greater respect for the sacredness of its duty, and the general administration of justice would recover its ancient chastity of character?

We may be told, that the Crown may, in certain circumstances, overawe both the private prosecutors and the juries. Though there are some instances of that nature in our history, yet we find private individuals and juries preserving the liberties of the nation, when majorities of the Commons were unable, or unwilling to protect them. As the ministers of the Crown will in general be supported by majorities of the Commons, if their agents be guilty of bribery or other mal-practices, what satisfaction can the injured expect from those majorities? Here, also, from the experience of the past, we should rely rather on the public spirit of individuals, and the integrity of juries, than on the accidental honesty of an accidental majority of the Commons.

Double and false returns are now very infrequent. They may be provided against, by the revival of the 23 Hen. VI. c. 15; increasing the penalties in proportion to the difference in the value of money between that period and the present; and providing that the seat should be delivered up to the party duly elected; there being no provision of this nature in the earlier statutes, as in those times there was usually an election for every session.

The only other subject of investigation for an election committee, which remains to be noticed, is the qualification or disqualification of candidates. During the session of 1838, several cases, strongly illustrative of the incompetence of committees to meddle with such questions, came under our observation. In a former number, we noticed the decisions of the Belfast Committee. The Hull Committee had to determine a real property question, on which the most eminent lawyers differed. The Galway Committee, without a single legal character on it, had to solve the most perplexing enigma of all; and, after hearing the arguments of counsel during a great portion of two days, cleared the room, and in about fifteen minutes announced their decision. Against this committee, there could be no charge of partiality; as it, the sitting member, and the petitioner, all shared the same opinions. We

complain not of the decision : but can any one suppose that they came to that resolution in fifteen minutes, because they had sufficiently considered the subject, and not because they were convinced that if they remained in for fifteen months, they would know just as little of it as they did then ; and that they might as well pronounce a judgment at once, which they did not understand, as waste time in pretending to comprehend it ? If they had been a tory committee, and the petitioner a tory, they would be excusable in returning their friend ; for, so far as their capabilities of judging extended, the question could be decided *fairly* only by the assistance of a dice-box.

As such cases are of frequent occurrence, would the House suffer any diminution of power or dignity, if it were to direct feigned issues or cases to the courts of law to try such questions ? A very eminent writer on this subject, regretted many years since, that committees had not the power, on points of mere law, to send written questions to some of the judges, whose answers should be conclusive.* But as judges are generally averse to giving extra-judicial opinions, and particularly until they have heard the arguments on both sides, the course we suggest seems preferable, and especially as it is in accordance with the practice of the Court of Chancery, which continually directs issues of law and fact to be decided by the proper tribunals, and thus preserves its *equity* from taint or suspicion.

We may here explain how the several portions of a petition *may* be heard by different tribunals. If we take the Belfast case, with which our readers are already familiar, it may be seen that the charges against the several voters could be determined at the assizes, or quarter-sessions ; Mr. Gibson's qualification, by the Common Pleas ; and Mr. Tennent's, by that court, or by a judge and jury.

It is an usual objection against referring election cases to the courts of common law, that such a course would be productive of infinite delay. But, would it not be better that the person chosen by the apparent majority of the electors, should represent them for a few weeks or months till the subject could be fairly decided, than that one elected by a committee in contravention of law and right, should hold the seat for seven years ? This objection of delay was particularly applicable against the original Grenville committees ; and yet, the nation was more content with the administration of *justice* under them, than with the more rapid practice under the

* Luders. Rep. Controv. Elections, Introd. p. 25.

present system. We have shown, that nearly half of the petitions used to be deferred from the session in which they were presented, and that some were twice deferred. But we do not think that the proposed course would be productive of very great delay. Viewing the period that elapsed between the last general elections, and the time appointed for taking them into consideration, as the average on similar occasions, we find that the elections took place in July and August; that the 6th February was the first day for hearing petitions, and the 22nd May the last. Thus, from the general elections, to the last day for hearing petitions, nine months elapsed; during which, there were three terms, one assizes, and three quarter sessions.* Before the 6th February, every question triable at quarter-sessions, and assizes, could have been determined there, and reserved points of law argued and decided before the judges of the superior courts. Every other question, also, could have been heard before the same day; and even carried to the last appeal before the 22nd of May, or at least, before the *Westmeath* case could have been decided, had the commission investigated all the cases to which objections were submitted. But, even if twelve or eighteen months should elapse before the final determination of some difficult legal enigmas, it should be recollected, that those decisions would settle for ever, not only those, but all other questions to which the same principles would be applicable, while committees could only come to some decision on the particular cases, but could never determine a question of law. Since their first existence, the same questions have been continually debated before them, but never set at rest. Thus, law and right are to be for ever outraged by partial and contradictory decisions, and litigation is never to know an end. The great advantage of fixing the law, and appointing tribunals to administer it impartially, would soon be manifest in the decrease of petitions, and the cessation of the malpractices of which the public now so generally complain. For then, all parties would know the law; and knowing, also, that every case would be decided according to it, and not by the discretion of a partial committee, they would not petition, except when they should feel legally entitled to a favourable judgment; and those disposed to violate the law, would be deterred by the certainty of being punished with impartial rigour. Thus, in a few years, petitions which, after

* The reader cannot forget the time occupied by the Dublin Commission, or fail to see how much more it would have occupied, had it heard, as it ought to have done, the evidence on the counter charges of the liberal party.

a general election, now usually amount to fifty or sixty, would dwindle to perhaps half a dozen; or, as occurred in earlier times, be heard of only on extraordinary occasions.*

Could not the House easily obviate any objection as to delay, by providing that parliamentary questions should have precedence of all others, and should be forwarded through the courts by some speedier process than is usual in ordinary cases?

There is a very obvious improvement, which may be introduced in any measure for the amendment of the present jurisdiction. We can see no satisfactory reason why costs should not follow the judgment in parliamentary, as well as in legal, proceedings. A man should not be liable to be ruined, merely because he is returned, or entitled to be returned, to serve his country in the Commons; and be placed totally at the mercy of every litigious, wealthy, and spiteful opponent. It rarely occurs, that a committee votes a petition, or a defence, frivolous and vexatious; while scarce an election is controverted, in which either party does not offer a frivolous and vexatious opposition on some points of defence or attack. Common justice requires, that wherever a man fails in any charge, he should pay the costs of his opponent in defending that charge. The Court of Stannaries was abolished, because litigating parties could not be compelled to pay costs. No form of judicature can ever be satisfactory, which allows one man to persecute another with all the forms of law, without any liability to compensate for the losses of the victim of his whims, his malice, or his ignorance.

We fear that we have already trespassed too much on the patience of our readers. Much might be said on the tendency of the measures which we have suggested, to diminish the disposition of parties to present frivolous petitions, and to fabricate evidence for deceiving committees in London, which would not be even offered in the locality where the character of the witnesses, and the nature of the circumstances were better known; to lessen the amount of expenses for the trial of any petitions; and on the great advantages derivable to Ireland, and to Scotland, from having whatever sums should be necessarily expended in such litigation, expended at home. But, for such considerations, we have not time or space. We cannot, however, conclude, without expressing our conviction, that the Commons, by establishing the rights of their consti-

* Last year, the number of returns petitioned against, amounted to sixty-seven.

tuents on a secure and firm basis, will add to their own power and dignity, and rally round their privileges the national confidence and the national respect; and our hopes, that in the discussion of the measures which shall be hereafter proposed, “to amend the jurisdiction for the trial of controverted elections,” they will pay attention to the great and fundamental principles of common justice, which distinguish the code of British law; and that they will at length adopt as their maxim, *Fiat justitia, ruat PRIVILEGIUM*.

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- ART. III.—1. *History of Rome*. By Thomas Arnold, D.D. Head Master of Rugby School. Vol. 1. Early History, to the Burning of Rome by the Gauls. London: 1838.
2. *Histoire Romaine; première partie: République*. Par Michelet. 2 vols. Paris: 1831.
3. *The History of Rome*. By G. B. Niebuhr. Translated by Julius Charles Hare, M.A., and Connop Thirlwall, M.A., Fellows of Trinity College, Cambridge. Cambridge, 1831-2.

SINCE the revival of literature, the history of Rome has justly engaged, in an equal degree, the study of philosophers, men of learning, and statesmen, of all nations. A people, springing up on a cluster of volcanic hills, and composed of half-destroyed tribes, gathers strength unperceived by the more powerful nations around it, whose very breath would have been enough to annihilate it; and while increasing in spite of the most violent internal dissensions, and the most alarming dangers from without, struggles for freedom, and the empire of the world, and maintains them for five hundred years admitted beyond dispute; spreads its laws and its religion over the whole world; serving as an instrument of Providence to render the human race, (saving the inhabitants of Palestine,) by the universality of Grecian and Roman elements, ripe and ready for the Christian religion, which it so much needed; and, although rich in every department of civilization, has more particularly, in its public men, produced models of statesmen and generals, who have never been surpassed;—to pursue such a nation in its development,—to track the footsteps of its greatness,—to discover the causes of its splendour, and its sad decline,—has ever been too interesting a problem, not to have seized on the attention, and invited the contemplation and study, of the most exalted minds. Yet,

wonderful it is, that very few have understood the history of Rome. On one point, all have been unanimous; the magic name of its constitution,—the details whereof were developed in continual wars,—and the faithful attachment of her people, displayed in the sacrifice of all that was dearest and most precious; but of its nature, the most opposite opinions have been formed. Each inquirer sought in it those principles which were most conformable to his own preconceived ideas, and every one discovered there what he wished to find; but few had the courage and disinterestedness to look at Roman history in itself as an objective whole, and to represent it as such; and for this reason, very few indeed succeeded in their undertaking. Moreover, when the sceptical Bayle and Beaufort proved how destitute of foundation its traditional accounts severally are, and how contradictory among themselves, all hope of success in such a field seemed extinct; and, while some held obstinately their absolute belief in the infallibility of Livy,—others were contented with the persuasion, that it was impossible to substitute anything better; and that it was, therefore, wiser to keep what they already possessed. To our age belongs the glory of having understood Roman history in its true character. To appreciate this glory more correctly, let us take a rapid view of the writers whose reflections upon the history have been most distinguished in preceding times.

From the restoration of classical literature, to those times when civil and foreign wars in every country, as well as the perfect sway of absolute dominion, arrested the development of liberty, and either paralyzed the minds of men, or directed them to other interests, there appeared in the whole civilized world, that pleasing intoxication which accompanies a majestic effort. Men awoke from a deep slumber, and beheld in astonishment, an anterior and half-forgotten world, with its literature and art, of the greatness whereof they had felt only an undefined presentiment, rising from the tomb. In that joyous moment, no reflection, no criticism, upon the state of things passed, was possible. They possessed the works of ancient art, and ancient authors, of whom others were daily emerging into light; they rejoiced, admired, and rivalled them, and loved to look upon them as models in matter no less than expression, with whom none, without rashness, would dare to find fault. The ancient historians, as well as classic authors, they restored, as they did statues; because, in those days, they were artists in science no less than in art. To maintain that Livy has merely given us in Roman history some pas-

sages that are obscure, and others retouched, and therefore, disfigured; or, that there would arise, not only a necessity, but even a power of knowing the state of ancient Rome, better than himself, would have appeared audacious, as well as unreasonable. On the other hand, they felt the necessity of collecting together the numerous notices respecting the constitution of Rome, and the manners of its inhabitants, scattered in every direction, in order to understand them, and the authors who alluded to them. In this way arose the knowledge of Roman antiquities, which was so well understood and perfected in the sixteenth century. Besides, the learned men of the Italian republics, supplied, by their intuitive notions taken from a living republic, the deficiencies of their researches. They entered with a lively interest into the relations of the Roman republic, took part in the differences of its members with all the activity of republican zeal; for they supposed the Roman nobles and people identical with their own; and profited of the stratagems and successes of the Roman contest, to derive thence political lessons for the instruction of themselves and their fellow-citizens. In a word, they understood Roman history, but they did not understand it well. The best example of this way of viewing it, is the work of Macchiavelli,—“*Discorsi sopra la prima Deca di Tito Livio.*” He was then young, and had not, in the ardour of his desire for the freedom and independence of Italy, adopted those desperate means of effecting it, which he afterwards developed in his *Principe*; but being an ardent republican, and well versed in the innumerable stratagems which formed part of political knowledge at that time, he endeavours to represent the legitimate development of the Roman state, and the wisdom of its institutions, as a model for his restless countrymen; and Livy is the only source from which he draws his arguments. He traces the development of Rome in her interior constitution, as well as in her external wars and policy, with equal diligence; in herself, he contemplates the favourable circumstances under which the republic increased, the virtues of her citizens, and their attachment to their religion, whose usefulness, as a state-worship, he demonstrates. The tribunitial power is, according to him, the chief support of the republic; the other leading offices are considered in succession, and that of dictator receives his most unqualified and highest praise. The pivot of the dissensions between the two orders, he supposes to have been the agrarian law; the history of the republic turns upon the efforts made to obtain its

enactment. The ruin of the commonwealth, with him, dates from the moment when the Gracchi forced it by violence, and for this reason an absolute rule became unavoidable. The most interesting part is that, wherein he treats of the decemvirate, and in which he explains in detail his system, and his opinion respecting the state, its excellencies and its defects; pursuing in that, and other passages, his great object of prepossessing his readers against monarchy; and showing the advantages and dangers of a republican form of government.* But he, at the same time, confounds the Roman and Florentine republic; the senate becomes the seignury; the patricians, the nobles (*nobili*) of his country; the plebs, the people accustomed to assemble in the gallery of Florence; and the struggle between the two orders, is, in his eyes, a contest between the rich and the poor, in which the republic at last falls by the rashness of the Gracchi. But until that epoch—a period of three hundred years—the rich and the nobles had been restrained, to the advantage and welfare of the republic.† As a political treatise, this work of Macchiavelli cannot be too highly appreciated, but it certainly cannot be deemed faithful to history.

After his time, the prosperity of most of the countries of Europe sank amid the sanguinary religious wars produced by the Reformation; and erudition, fleeing from France, took refuge in the free states of Holland; but if we except the profound researches of Perizonius, little was done for history; as is clearly proved, besides other evidences, by the notes of the celebrated Gronovius, on Livy: and thus Roman history became, on one hand, a collection of examples for public and international law; and on the other, was cultivated in some slight degree, only because the writers of it were Greeks or Romans. It was not until the eighteenth century, that interest in it was revived, chiefly on account of the severe and merciless criticism of Bayle and Beaufort. The latter easily pointed out a mass of contradictions and gratuitous suppositions, in those portions which had theretofore been admitted as authentic; but he only pulled down, without building up;

* “Ma essendo la cosa sì manifesta che ciascuno la vede, sarò animoso in dire manifestamente quello che intenderò di quelli e di questi tempi, acciochè gli animi de' giovani, che questi miei scritti leggeranno, possano fuggire questi e prepararsi ad imitar quelli, qualunque volta la fortuna ne desse loro l'occasione. Perchè gli è ufficio d'uomo buono, quel bene che per la malignità de' tempi e della fortuna tu non hai potuto operare, insegnarlo ad altri, acciochè sendone molti capaci alcuno di quelli più amati dal cielo possa operarlo.”—Disc. ii. p. 235. Milan edition.

† Discorsi. i. 37.

and it was, unfortunately, only too possible, after his example, to cast all history aside as a "*fable convenue*." Still, men were led by the philosophical spirit of the early part of the last century, dissatisfied with what they saw at home, to seek among foreigners a constitution which they might imitate. Montesquieu, who exercised, by his works, a considerable, although not immediate, influence upon his times, took Roman history under his consideration; and in his *Considérations sur les Causes de la Grandeur des Romains et de leur Décadence*, undertook to show how the Roman institutions were adapted to their design of subjugating the world. For, in his opinion, the dominion of the universe was the object which Rome would have pursued for ages; her greatness was the act of fighting to acquire it, and her decline was her success in obtaining it. But this point of view is too contracted to have allowed him to observe the development of the constitution with an unprejudiced eye; he gives Rome a constitution in conformity with his own *beau idéal*, but not with reality, according to which she formed it organically, and almost without being aware of it. With him, the senate was, at the very beginning, that which it only became by the progress of events,—a ruling corporation; the patricians and nobles are its support, and the plebeians an unsettled mass, which the senate, like a prudent governor, restrained or conciliated, by partial concessions.* The downfall of the republic was caused, he thinks, by its unmeasured extension. At the beginning, all landed property would be divided in equal shares among the people; but in course of time, some, who thenceforward were rich patricians, would have managed to get possession of a larger portion, and the agrarian laws would have been, like the revolutions of Agis and Cleomenes at Sparta, endeavours to restore the former equality.† In this view, the difference between the patricians and plebeians, on which the whole history turns, is merely the contrast between rich and poor; not original and ancient, but artificial and recent; since at first, all would be equal. In the remaining portion of his ingenious work, he speaks of the external policy of the Romans, their military system, and the empire.

After Montesquieu, the knowledge of Roman history gained important accessions, particularly in the department of antiquities, by jurists and philologists, and a few philosophers; amongst whom Vico was the first to maintain, although not

* Consid. c. viii.

† Consid. c. iii.

explicitly, that the patricians and plebeians might have been two distinct races. A few of their observations were judicious, but, in general, it made but little progress, and the French revolution dared, without contradiction, to compare itself with the development of the Roman republic. Of the empire, a very correct idea had been formed from its jurisprudence; and especially as regards the constitution under Constantine, nothing can be added to the plan of it, drawn by Gothofredus (Godfrey); but with respect to the primitive institutions of the republic, it was deemed sufficient to repeat, with less force and elegance, the perfect description given by Livy. Antiquities were pursued with much zeal; and, above all, jurists like Heineccius, contributed to the proper understanding of private right in an original form, and of public right, as far as this was possible. Such was the state of the science, when, in the middle of the last century, the German nation shook off the torpor induced by long wars of suffering and desolation, and in public life, by the seven years' war; awakened within herself an exalted national spirit, and, with it, a renewed life in every intellectual department. With the original literature which then arose, philology raised itself to its high calling as the mediatrix of different ages, and of all that is most noble in every nation of the world. It was not until that time, that men became familiar with Homer, and the tragic poets in particular; and, through them, with the spirit of antiquity. It seemed, however, for a long time, that the favour of the learned was exclusively directed to Grecian history and literature; when, in 1811, to the recently-opened University of Berlin, a man presented himself as professor of Roman history, whom, until that moment, none but his most intimate friends had esteemed learned. Niebuhr was one of those few individuals who are called to give birth to a new science. His father had acquired a high degree of celebrity; and the son, from his earliest youth, had applied himself to Roman literature and history, with earnestness and deep study; and had not abandoned it in the midst of the distractions and agitation of public life. Public affairs, in which he took part in Denmark and Prussia, and an abode in England, had given him that steady, unprejudiced eye, which his predecessors did not possess;—accompanied, at the same time, by the most extensive knowledge of ancient and modern history, which enabled him to display, to greater advantage and effect, the rich qualities with which nature had gifted him. Of these, besides an extraordinary memory, the most prominent were a lively imagination, and a truly poetic in-

tuition, joined with a sagacity seldom equalled, and an exquisite judgment. His character was severe and honourable; his love of freedom ardent; his admiration for the great and good unbounded; and his detestation of evil insurmountable. To comprehend the character, and understand the manner in which the mind of this wonderful man was formed, nothing can be more instructive, or more interesting, than the collection of his letters, published last year, and abounding with the finest remarks on the literature and political events of his time.* His lectures were attended with complete success, and frequented and admired by the most distinguished men of learning in Berlin; so, that he determined to publish at once, in 1811-12, the two first volumes of his work on Roman history. They come down to the year of Rome 416; when the constitution was completed by the laws of the dictator, Publius Philo, and equality between the two orders was established on a solid basis. Unfortunately, his literary activity was interrupted by the war of 1813, during which he joined the staff; and was entrusted with several diplomatic missions, which took him, in 1814, to Holland; and on being named envoy, to Rome, in 1816. It thus became impossible for him to entertain any idea of continuing his work until 1822, when, after his return into Germany, he fixed his residence at the University of Bonn, which he rendered illustrious by his lectures. The two first volumes of a new edition of it, appeared in 1826; and again in 1828, 1830, and 1833; but before he could complete the third volume,† literature was deprived of his services by his premature death, in 1831. In England, where the first edition had been translated by Mr. Walter, his later work has become known through the excellent translation of Messrs. Hare and Thirlwall. He had intended to continue his history down to the period where Gibbon commences; but it does not extend past the end of the first Punic war; though, even in this imperfect state, it is an unrivalled masterpiece, both on account of his exact and diligent researches, and, wherever the subject would allow, of the classic elegance of style in which the work is written, and which he would have displayed to still greater advantage in treating of those periods wherein the original sources are more abundant.

* "*Lebens Nachrichten über Barthold Georg Niebuhr, aus Briefen desselben und aus Erinnerungen einiger seiner nächsten Freunde.*" Notices respecting the Life of B. G. Niebuhr, from his Letters and the Reminiscences of some of his most intimate Friends. 2 vols. Hamburg: 1838.

† Since published in 1832.

Nothing can be more unjust than the reproach which has so often been levelled at Niebuhr, that he has only sought to destroy the authority of the ancient authors, and that he has substituted doubts and doubtful hypotheses, instead of a history which before appeared certain. On the contrary, no writer ever weighed their accounts with so much exactness. But his solid judgment would not allow him to rest contented with blindly following a single writer, who, by the eloquence of his narrative, had won over the majority of readers; and in the range of those writers who were the original sources of ancient Roman history by whom he was to be guided, he could not but be struck with the manifest contradictions which they present, and the evident omissions in their histories. Thus, he saw the necessity of going back to the very sources from which the materials had been drawn by these writers, who lived themselves long after the period of which they wrote, and under a constitution completely altered; and who, in general, evince but little acquaintance with those forms of government which had previously existed. Unfortunately, the more ancient authorities, the annals of the pontiffs, the chronicles of illustrious families, their funeral orations, the popular songs, and even the writings of Cato, Fabius Pictor, Cincius, Junius, Gracchanus, and others, are lost; and, therefore, it was absolutely necessary to search the writings of the most obscure grammarians, and the most ignoble historians, because they contained amongst their own unimportant trifles, precious relics of authors who wrote under the Republic. After having thus collected the authentic testimonies of these latter, he devoted to them, the most scrupulous examination, and never allowed himself a single conjecture, save where it was impossible to rest contented with a manifest error, in order to fill up a void in their narration. When we consider the ingenious, but hazarding and ungrounded manner in which Schlegel, Hüllman, and others, have, after his example, endeavoured to reconstruct Roman history, we return with respect and admiration to the work of Niebuhr, whose fidelity is not less extraordinary than his sagacity. Thus, he has been but feebly combatted against by the over-zealous partisans of the old method of studying Roman history, or by too venturesome innovators; and has been, beyond measure, successful, not only in reforming historical studies, but in founding a new school of jurisconsults, at the head of whom is the illustrious Savigny. Still, in spite of these excellencies, his work has never become popular; because, the difficult and

often abstruse subjects treated in it, have discouraged the public, who feel themselves unequal and incapable of that degree of knowledge and judgment which Niebuhr supposed to exist in his readers. But, notwithstanding, it was much to be wished that youth should be imbued with the correct views and sound political principles with which the Roman history, when well examined, so much abounds. To supply this urgent want has been the aim of Dr. Arnold. He felt himself called to this duty in a twofold manner,—first, as an Englishman, because,—as he observes, “the growth of the Roman commonwealth, the true character of its parties, the causes and tendency of its revolutions, and the spirit of its people and its laws, ought to be understood by none so well as by those who have grown up under the laws, who have been engaged in the parties, who are themselves citizens of our kingly commonwealth of England.” (pref. p. vii.) And in the next place, amongst our countrymen, Dr. Arnold is, perhaps, the man, whose profound classical acquirements, which he has exhibited particularly in his comments on Thucydides, and whose admirable talent in exposition (we need only mention his *Letters on Reform*), which Niebuhr so highly appreciated, render him most capable of the undertaking. He purposes bringing down his history to the year 800 after Christ, the epoch of the coronation of Charlemagne. The first volume embraces the infancy of the Roman people from its origin, down to the burning of Rome by the Gauls, in the year 364 of its existence. As this period is also contained in Niebuhr’s work, which Dr. Arnold follows throughout, never blindly, but after a mature examination, which sometimes induces him to differ from his predecessor, it offers little that is new, to one acquainted with his original: but, besides that it contains many remarks of his own, the style of the work before us, is so pure and transparent, and so forcible and elegant, that it will bear comparison with the best historical compositions of modern times. The most obscure matters are exposed in a manner so clear and beautiful, without any detriment to profoundness of research, that its author deserves the praises of all who are interested in antiquity, and who know that the past time is the best key to the present. We will endeavour to give a rapid sketch of Roman history, as described by him.

It is well known that the history of the Kings and the beginning of the Republic is wholly poetical. The analogy of every other people would suffice to show that no great nation

has ever existed, whose origin was not traced back to the gods, and whence it gradually sunk down to the prose of common life. Whoever reads Livy without historical prejudices, will feel the poetic air that is breathed in his first book, the masterpiece of his history, and will be shocked at the dull and insipid attempt of Dionysius of Halicarnassus and other Greek writers, to reduce such miraculous events to the level of possibility. If we add thereunto the detached fragments scattered in ancient authors, of that magnificent poem which celebrated the founders of Rome, we succeed in representing the history of the judges and kings of its most distant period, precisely such as popular tradition preserved it. A god is the father of the children from whom the city derives its origin ; a she-wolf suckles them ; Romulus is a son worthy of the god of war, who at last carries him in his chariot to heaven ; the sage Numa listens attentively to the counsels of a benign goddess, in order to give laws to a rude nation ; and the captive gods are obliged to reveal to him futurity, and the will of the supreme Divinity ; Tullus Hostilius is killed by the exasperated Jupiter, after he has conquered Alba, and rendered his people powerful in war. The combat of the Horatii and Curiatii, and the trial of the haughty victor, are poetic legends. After the uninteresting history of Ancus Martius, the poem presents fresh attractions. The marvellous life of Tarquinius Priscus, and his prophetic wife, who again gives counsel in after days to the more recent city by the mouth of her statue ; the history of Servius Tullius, the king of the commons, who, because he was too good for his people, fell by an unnatural parricide ; the guilty splendour of Tarquinius the proud, the death of Lucretia, the dissimulation of the cautious Brutus, the battle in the forest of Arsia, where Brutus and Aruns die by each other's hand, and both sides lose an equal number in the slaughter,—but a voice from the forest gives the victory to the Romans ; Horatius Cocles and Mucius Scævola ; in fine, the magnificent and Homeric battle of Lake Regillus, decided by the two sons of the god ;—he who sees not in all this the poetical and youthful feeling of an early people, like to that which sang the wars of Thebes and Troy, and the Argonauts, knows not the difference between popular poetry and legendary story.* Dr. Arnold has described these times in a style

* We must carefully distinguish between a completely fabulous history, as that of Romulus, for which the ancient ballads are cited by Dionysius, and another history, real in itself, but recounted mythically, like the Messenian war in the works of Pausanias, which begins with Tullus Hostilius and comes down to the

which frequently reminds us of that of our old chroniclers, and expresses the marvellous character and simplicity of those primitive times. It was not an easy undertaking to represent them as they were believed by the old Romans, free from any modern addition, and yet in such manner, that the different forms of the manifold traditions should not be confounded with each other. In general, he has well fulfilled his task. Only, in a single passage, (page 9), where he recounts the miracle by which Janus stayed the assault of the Sabines by a torrent of boiling water, he does not seem to have kept sufficiently distinct the various records of the event. Dr. Arnold states it to have happened at the gate of the city of Romulus, whilst the two authors who mention it, Macrobius (*Sat.* I. 9) and Ovid (*Fast.* I. 257, seqq.) agree in not speaking of the Palatine as the place where it happened; but the former, after a tradition which to us is almost lost, names the Viminal, while the latter states it to have been at the foot of the Capitol, where, in later times, the name *Lautulæ* perpetuated the remembrance of the site of the wonderful event. In his account of the kings, this is the only mistake we have discovered, not to mention the unimportant contradiction between p. 38 and p. 45, where the foundation of the Capitoline temple, respecting which, the ancient traditions themselves were not agreed, is ascribed in the first instance to Tarquinius Priscus, and in the second to his son Tarquinius the proud.

But, if these ancient legends are too beautiful for reality, what shall we suppose those to be that speak of Rome herself and her primitive institutions? To penetrate the obscurity in which they are enveloped, we must recall to our minds the origin of the generality of ancient nations. Their origin differs wholly from that of modern nations. In North America, for instance, there is no necessary and indissoluble bond of union between the different states, embraced in its territory, but they have connected themselves with each other by a mere external link, of little strength in itself, for their mutual advantage. Each state is divided into counties, the number of whose representatives is arbitrary, like the rest of its institutions. On the contrary, when the people of antiquity joined together and became one nation, they followed a determined numerical system, derived from their forefathers, generally consisting of the

battle of lake Regillus. Of this and its connexion with authentic history, Niebuhr has well observed, "the poetical story is something different from, but it is also something better than, pure history, on the field of which we only find again what wearies and worries us in life." Vol. I. p. 241, Engl. Transl.

numbers three or four. In this division, the citizens are distributed into three or four tribes (*φυλαί*) with unequal rights, out of which none can pass into a higher tribe. These tribes were agreed among themselves on acknowledging a hero, to whom they dedicated a common worship. They divided themselves into ten bodies, (*curiæ, φαρρῖαι*) * which again comprehended ten *gentes* or houses (*γένη*). These houses were not connected, as we should be inclined to suppose, by a certain affinity of blood,—otherwise, how could there have been at Athens, exactly three hundred and sixty houses in twelve such bodies; at Florence, seventy-two, &c.? The families which composed them had no relation with each other, except in religion, a common *ἐπώνυμος*, whom they revered, and in the state, equal obligations and rights of inheriting one another's property when a family became extinct, of mutually aiding each other in need, of redeeming any of their members who had fallen into captivity, &c. The body of the nation so composed, was the people (*populus, πόλις*). Therefore, each member of a family was a member of a house, of a tribe, of the state; and he who did not belong to a family of citizens, had no part in the state. This last class, however, often comprehended a large portion of the inhabitants of the ancient cities. Each city possessed a territory acquired in the course of time, which was the property of the state, and by consequence of each citizen who formed one of a house. But the original inhabitants of this territory did not belong to any house, and were consequently excluded from all participation in the privileges of the state, although they enjoyed its protection, and fought in its wars. Without counting the strangers who established themselves in the city without the rights of citizens, (*ἐποικῶν*), like the "*habitants*" of the republic of Geneva, or the "*Pfahlbürger*" of the German republics,† they soon formed a considerable part of the population, and were bound together by their universal exclusion from the right of citizenship. They were the *Plebs*, the commons of Rome. The tribes, called Ramnenses, Titienses, and Luceres, were not an arbitrary classification of relatives, but, in their respective stocks, a memorial was traceable of the free nations to which they belonged, originally associating in alliance with each other. This peculiarity was founded on the

* These words exactly correspond to the German term "*geschlecht*" of the middle ages.

† Dr. Arnold erroneously includes these latter in the *Plebs*; they belonged in reality to a third estate, the *Ærarii*.

nature of the ancient colonies. For instance, the powerful nations of central Italy, adjoining each other, the Sabines and Albans, for the latter ruled Latium, must have made war conjointly on the banks of the Tiber, and subjected the old Pelasgic city of Rome on the Palatine. These two nations then assumed the government, and for the preservation of their rights, they respectively established the Quirinal and Palatine opposite one another,—colonies, which conjointly, formed the people (*populus*). It was not until a later period, as we shall shortly see, that the third tribe took its position on Mount Cœlius, and joined itself to them. That Rome derived its origin from the union of a Sabine and Latin tribe, is proved not only from the tradition, but also from the twofold form of all the Roman institutions down to the latest times; as well as by the religious rites and worship, originally Sabine, which subsisted during the whole period of the republic, on the Quirinal. The ancient inhabitants, reduced into subjection by them, sought a protector in the ruling colony; just as in the cities where the Turks formed a corporation with defined rights, the Greeks attached themselves to a Janissary or a Spahi. This expresses the exact nature of the *Clientela*. That of the third tribe, the Luceres, is much more obscure and unintelligible. It is connected with the problem, which has been so differently solved,—had the Etruscans any share in the foundation of the city and its primitive institutions? The enigmatic nature of this people, and its being so unfortunately confounded with the ancient Tyrrhenians or Pelasgi, spread over many parts of Italy, render this question one of the most difficult in ancient history. We need not enter deeply into the discussion, particularly as Dr. Arnold is content with a very slight inquiry into it. We may perhaps have occasion to examine it more minutely, should he at a later period take up the more extensive question of the early history of the most ancient nations of Italy. It appears, however, to be well established, that the Etruscan constitution of a regular aristocracy, with an elective king, was fundamentally different from the Roman, which was that of the Latins in general. As a natural consequence, we must regard as a mere fiction the system laid down by Müller, in his learned and ingenious work on the Etruscans.* He supposes Tarquinius Priscus to mean the sway and rule of the city of Tarquinii over Rome, which was overturned by Servius Tullius, the hired leader of

* “Die Etrusker. Vier Bücher, von Karl Otfried Müller.” *The Etruscans. Four books*, by Charles O. Müller, 2 vols. Breslau, 1828.

another Etruscan party, whose army became the groundwork of the constitution of centuries assembled in arms, (*exercitus*), wherein consequently neither the people (*populus*) nor the commons (*plebs*) existed. But, on the other hand, it cannot be denied, that there was, at an uncertain epoch, an Etruscan rule at Rome,—an epoch, to which may probably belong the obscure original annals of that people, from which the Emperor Claudius has preserved a passage respecting the bold adventurer Mastarna, whom he identifies with Servius Tullius;* and in religion no less than the external insignia of the magistrates, their influence subsisted down to the latest times of the city. Still, their influence upon the religion of Rome was confined, in our opinion, to a few divinities, if we except the ritual, which was borrowed from that sacerdotal nation, and the doctrine of divination by haruspices and augury; for the nucleus of the Roman worship ever was and ever remained half Latin and half Sabine. Tarquinius Priscus, or Latinus, (for this is the real meaning of Priscus), is not an Etruscan according to any existing historical record; the Luceres, or the third tribe, whom he raised to honours almost equal to the other two, are a Latin tribe, received by sufferance into their number. By him the constitution of the ancient *populus* was completed, whose senate consisted of three hundred, one hundred from each tribe. Nevertheless, the houses of the Luceres were long inferior to those more ancient than themselves, and at a later period, they frequently occur under the name of “minores gentes.” It was, in fact, the relation between England and Scotland with Ireland, which corresponds to the Luceres. This is an additional argument against the Etruscan origin of Tarquinius. For, if he were the king of a powerful Etruscan people, as Müller supposes, he assuredly would not have allowed his subjects to remain in an inferior position. Thus, the number of three tribes, composed of thirty *curiæ*, was complete, and the people became one, entire, and consolidated. But, beside it arose, at that epoch, the second order, the life and right arm of Rome. Ancus Martius is the real founder of the Plebs; a fact which Dr. Arnold, much to our surprise, has omitted. He drew a considerable number of the Latins into the city,† and colonized, according to the tradition, the valley of the Circus Maximus, near the sanctuary of the goddess Murcia.‡ It was therefore a coloni-

* In a fragment of a discourse delivered in the Senate, published by Gruter, Inscript. p. DII. and often at the end of the works of Tacitus.

† Niebuhr, vol. I. p. 370. English Trans.

‡ Livy I. 33. Niebuhr I. p. 348.

zation *en masse*, which entered precisely into the same relation with the people, (*populus*) as the *distretto* with Florence,—it became an independent half of the republic. Its members formed a corporation under its own magistrates,—the tribunes, and regulated its own interests. This society was not wanting in high and noble personages, since it sprang from the “*commune Latii*,” which, after the fall of Alba, united itself to Rome, and lacked nothing save a participation in its government. Very different and distinct from it, was a third estate, which Dr. Arnold seems to confound with it, the *Ærarii*. These, and not the Plebeians, as he supposes, (p. 27), exactly correspond to the Pfahlbürger of the Middle Ages. The *Ærarii* are the foreigners, who took up their abode in the city and enjoyed the protection of the laws. They partook of the private rights of the citizens, and paid taxes, without being included in any of the corporations of the city, and without being obliged to military service. Of them was composed the whole mass of artizans and shopkeepers, whilst the plebeians were essentially agriculturists, and even landed proprietors, who did not even dare to enter into mercantile pursuits; and commerce, on an extensive scale, was beyond the means of all, except the most opulent of their body. But the *Ærarii* could no more acquire real property, than can a foreigner in England at the present day. Their augmentation at Rome was favoured by the special right of *municipium*, which allowed the citizens of towns in alliance with Rome, to establish themselves without hindrance in the city, where they were called *inquilini* (ἑποικοί). By degrees, this class disappeared, because some of its members were continually being received in the tribes of the plebs, and particularly when Appius Claudius, in his famous census in the year 442 of Rome, included the greater number of them among the citizens.* In this way it happened in course of time, that they ceased to subsist as a regular class; but still Dr. Arnold ought to have mentioned them in his account of a period, when they were really an important body among the inhabitants of Rome. Meanwhile, the commons had not yet risen to a political position in the state, when their favourite king, Servius Tullius, whose memory the gratitude of the plebeians long afterwards revered, undertook not only to organize them among themselves, but likewise to unite them to the state and people. He effected the former object by

* Dionysius ix. 25.

dividing the plebs also among the tribes; and as would of course be necessary when the measure concerned a commonalty formed of scattered boroughs, he divided them into local tribes. Before the unfortunate war against Porsenna, in which ten tribes were extinguished, they were thirty in all; four of which were reckoned as belonging to the city, and each of their members was inscribed on the roll of the tribe, in whose quarter his house was situated. These plebeian tribes did not receive their names from any house, but as is still the case with many of the petty Italian cities, from an imaginary patron or protector. But the great superiority of the tribes over the houses consisted in their power of motion and expansion;—the secret of the greatness of Rome justly lay in that wisdom, with which she received all that, which in later ages, made good its right to the privilege, into the tribes, though with a smaller portion of the representation, that the majority might not pass out of the hands of the original members of them. This system is completely opposite to that of modern times; according to which, for instance, in the United States, a new state which joins the union, becomes at once equal to the rest in the number of its representatives. Rome, on the contrary, never augmented the number of voters in the respective tribes, but augmented the tribes themselves, and this augmentation was effected without any obstacle being presented by her; for a new tribe, however numerous its members, had only to assimilate itself to the others. The grievous fault which the republic, becoming as jealous as the aristocracy had been before it, committed, was when in the seventh century of the city, it refused to admit the rest of Italy into its body, and this fault was avenged by the Marsic war and the ruin of the republic. The plebs, distributed, as we have seen, through the tribes, had a common treasury in the temple of Ceres; and as its tribes corresponded to those of the *populus*, it was entitled, in like manner, to its own magistrates, the tribunes, who, some time afterwards, acquired an importance previously unknown in the state, and resembled the tribunes of the patricians, *tribuni celerum*. When summoned by its magistrates, the plebs assembled in the “*comitia tributa*” in the Forum, as did the patricians in the *comitium* of their *curiæ*, and deliberated on their own business.

One assembly was yet wanting, wherein the entire state should be represented; and this was effected by the constitution of the centuries. It is true, that numerically, the patricians constituted a small minority in it; for, whilst they and the

plebeian nobility were included in the eighteen equestrian centuries, of which they formed only six, the "locupletes," or tax-payers, had the considerable preponderance, of one hundred and seventy centuries, in five of the classes. But even in this institution, we cannot fail to discover the wisdom of the framer of it. For it was only just, that the plebeian nobility should be raised to a level with the patricians, in military service and political rights, in the general assembly dependent on such service, since among its members were numbered nobles of families not less ancient and rich than they. Thus, by the institution of Servius Tullius, the Roman nobility became what it ought to be, according to the definition of Aristotle; and what in Great Britain, constitutes its strength, distinguished by high birth, derived like its estates from a noble ancestry, both which qualities are comprised by him in the term *εὐγένεια*. Moreover, as the centuries were to be a military body, the infantry became necessarily its more numerous portion, and the real support of the army and state; and no qualification was found to be more suitable than property, which was to be determined and taxed by the census. Dr. Arnold has explained the organization of the centuries and the army, in the clearest and most satisfactory manner. But the patricians had no reason to complain. So far from having the commons, as in England, placed by the side of the barons, as a second house, *they* retained the whole power of the state in their own hands. The centuries had no power in the first instance, nor could they deliberate on any proposition, unless it had been first sent to them from the senate, and their decision required the concurrence of the people assembled in their *curiæ*, before it could become law. Besides, the patricians possessed a powerful party in the "locupletes," by means of their clients, who soon found their way into the centuries. The observation with which Niebuhr closes his account of the constitution of Servius Tullius, is remarkable: "It is no encroachment on that which is already existing, for a new existence to awaken beside it; it is murder to stifle the stirrings of this life, murder and rebellion against Providence. As the most perfect life is that which animates the most complex organization, so that state is the noblest, in which powers, originally and definitely distinct, unite after the varieties of their kind into centres of vitality, one beside the other to make up a whole." (i. p. 477.) Thus was an edifice raised, in which, all that which before possessed vital energy, received a distinct and beautiful life for its own enjoyment; it was destroyed by the oligarchy, and its reconstruction was a slow and laborious work. The entire

history until its final perfection in the fifth century, is an uninterrupted struggle between the two orders, whereby the commons seek to regain their lost rights, the houses to uphold their oppression; on the side of the commonalty, the contest is conducted in the most admirable manner, without exceeding the boundaries of legal resistance,—the patricians stick at no violence, at no murder. However loaded with poetical ornaments we may suppose the account to be of the death of the good king, it is at least certain that Tarquinius, aided by the patricians, overturned and abolished the constitution established by him, reigned as an absolute tyrant, in the greatest splendour,—soon, even, in spite of the patricians themselves, and at last dethroned by them, with the assistance of the plebs. The chapters in Dr. Arnold's work, on the happiness and state of the private life of the citizens, during the reign of the last king, and on the power of Rome, &c. are excellent, but it would be impossible to give any extracts from them. It will suffice to mention, that, under Tarquinius, Latium was dependent upon Rome; the Hernici were joined by an alliance, in which greater advantages were secured to her; and the frontiers of the state were extended as far as Terracina, as is proved by the treaty concluded with Carthage, in the earliest period of the republic. But soon after the expulsion of the kings, an inroad of the Etruscans overran the whole country, sweeping away every obstacle to its progress, till it was stayed near Aricia, by the Greek inhabitants of Cumæ. This inroad is known as the war of Porsenna, by which Rome was stripped of all her possessions along the right bank of the Tiber. Latium shook off the Roman yoke, and the nearest cities of the Sabines, Cures, Eretum, and others, stretched their frontiers almost into the very city. But Dr. Arnold must have adopted an erroneous view, when he includes Regillus, the birth-place of the founder of the Claudian family, amongst the Sabine cities situated to the south of the Anio, which joined in alliance with the Latins, (p. 128), and when he cites Livy (ii. 19) as his authority, for placing Regillus in the neighbourhood of Tusculum. True it is, that lake Regillus was in the very heart of Latium, but the city of Regillus, according to the express statement of Livy (ii. 16), Dionysius (v. 40), and Suetonius (Tiber c. i.), lay in the country of the Sabines, although we cannot more exactly determine its site.* We admit, that Niebuhr (vol. i. note 1236 &

* Some authors place it on the banks of the Tiber; others at the foot of Monte Gennaro, with Nibby, the learned author of the latest work on the Roman cam-

1239, p. 550), gives it the same position as Dr. Arnold, but these passages of the ancient authors, are too clear to countenance the supposition. That, at all events, the territory of the Claudian tribe was situated on the other side of the Anio, and not, as Niebuhr asserts, contrary to the express declaration of Suetonius, partly on this side of the river, to us appears certain. Dionysius, (v. 40), places Claudia between Fidenæ and Ficulnea; now the position of the former is well known, and that of the latter is determined by two inscriptions found on the Cesarina estate, to have been between the farms of Casanuova and Cesarina,* which are both on the farthest side of the river.

In the state itself, the expulsion of the kings had been effected by the alliance of the patricians with the commons, against the powerful Tarquinian faction; and it was only natural, that, as long as the dread of the exiled family, obliged the republic to unite and concentrate its strength, the commons would be attached, for their own sakes, to the new form of republic government. The fruits of this alliance were the Valerian laws, by which, a portion of the royal possessions was divided amongst them, and the right was granted to them of appealing from a judgment of the consuls, to the body of their peers, as the houses appealed to their own grand council, the curiæ. Perhaps, the commonalty was even in part admitted into the senate and higher offices, for the plebeian origin of Brutus is at least highly probable. These favours were of short duration. It was perhaps the fear of the Tarquinian faction, which occasioned the establishment of the dictatorship in 254, which was distinguished from the consular power, by possessing the "imperium," given by the curiæ; in right whereof, he could punish disobedience to the supreme power by fine or death, within the city or its boundaries. Even the patricians did not obtain the right of appeal till a later period. The dictator was not appointed, as the consuls,—or as they were then styled, the prætors—originally were, by the centuries, but was nominated by the senate, and confirmed by the curiæ, exactly as the kings had been elected. This method of election, was a manifest reaction and encroachment upon the Servian constitution: and armed with the power, which had thus become theirs, the ruling party ventured to strip the plebs of all their rights as a class, and wholly to subject them

pagna, "Analisi storico-topographico-antiquaria della Carta de' Dintorni di Roma," *Rome*, 1838, vol. ii. p. 352, who places it near Moricone, where some ruins are still seen.

* Nibby, *Analisi*, vol. i. p. 45 and 50.

to themselves. External circumstances favoured their attempt. During the unhappy wars of the first years of the republic, the country about Rome had been laid waste, so that the majority of small proprietors, who exclusively composed the plebs, had become poorer than ever, especially, as the tilling of their land was interrupted, by their being frequently summoned to military service. Thus, many of the plebeians were compelled to borrow money from the rich, who were mostly patricians; who in their own name, or that of their clients, transacted such business. Of course, it cannot be supposed that the plebeian nobles would not also be able to lend money; but they too had lost by the wars, whilst the patricians possessed an inexhaustible resource in the public demesnes, which, consisting chiefly of pasture land, had not suffered so severely by the invasions of hostile armies; on the other hand, the plebeians could not take advantage of the cruel rights, which the embarrassed condition of the debtor gave to the creditor, through dread of the plebeian magistrates,—the *tribuni plebis* of a later period,—as well as on account of the clientship, *clientela*, through which a poor plebeian found a protector in one of the patricians. The laws of debt, in antiquity, were most rigorously severe. The debtor, who became insolvent, as it frequently happened on account of the high rate of interest, fell, both in his person and property, into the arbitrary power of his creditor, to whom he was, in the language of the law, “*addictus*.” For every loan was a fictitious purchase, in which the debtor, whose landed property was not enough to constitute a good security, made himself liable, in body, goods, and chattels, and was styled “*nexus*,” and afterwards “*addictus*,” when declared insolvent. There was no remedy in law against harsh treatment on the part of the creditor; an appeal could not be made, because no plebeian magistrate had power over a patrician. In this manner, a part of the republic were reduced to the situation, which, in the Middle Ages, constrained the majority of the small allodial proprietors, to subject themselves in vassalage to a feudal lord; and Rome would have become, like the kingdoms in the Middle Ages, a state composed of patrons and clients, if the plebs had been like the people of the latter, a mass of paupers, without organization, support or counsel. The Greeks, led astray by the incorrect analogy of their own country, believed in reality, that the Roman plebs was actually of this description. But to their mistaken views, which most modern writers have adopted, Niebuhr replies by a striking example, taken from our own system. “If a foreigner,

having heard of the misery of the Irish peasant,—that he farms the land, which was the freehold of his ancestors, at a rack-rent,—the unprotected or forsaken client of greedy or negligent patrons,—should be led by this, to look upon all the Irish Catholics as paupers and beggars, he could not but be exceedingly surprised, if told, that they claim a share in the highest honours of the state, and to be eligible into the lower house, when such eligibility, both legally and in fact, implies the possession of considerable landed property. Unless he were informed that the wretched peasantry are but a part of the whole class, which also comprises members of the nobility and of the middle ranks, he would be just as little able, as Dionysius was, to extricate himself from similar confusion.

• But, when we take a correct view of them, this very body of the Irish Catholics, may furnish our age with a perfect parallel to the state of the plebs. They too, like the plebs, are a commonalty; the despair of the poor amongst them, is the strongest weapon of the upper ranks, and the indignities these are exposed to, would be matter of indifference to their inferiors, unless they were all forced into one body by the pressure of the laws.” (i. p. 574.) But as Ireland, until she found a tribune to plead her sorrowful cause, remained in her former condition, and became only more wretched, by every new struggle for deliverance, so was the Roman plebs plunged in the deepest misery, until the institution of the tribuneship effected their freedom. Distress was past remedy; they had been deluded more than once, by false promises; when their discontent broke forth in 259, and raising an army, they fled in the following year to Mons Sacer, beyond the Anio. It seems that the plebs in the city revolted at the same time, and seized upon the Aventine. The patricians were obliged to yield; because they saw that without any other support but that of their clients, they would be unsuccessful in a civil war. The demands of the commonalty were extremely moderate; they only stipulated for a reduction of the debt, the inseparable condition made in all ancient revolutions, and the recognition of two of their magistrates, the tribunes,* as patrons or pro-

* That there were at first only two tribunes, is likewise Dr. Arnold's opinion, (p. 168), borne out by the accounts of the best ancient writers; but, when he afterwards (p. 167), speaks of the colleagues of a tribune, of all the tribunes, (p. 175), he seems to have forgotten to mention, that not long after their institution, on an occasion unknown to us, their number had been raised to five. As this number exactly corresponds with that of the five classes of the centuries, it must have been introduced by the Publilian laws, (283), by which the election of the tribunes was given to the comitia of the tribes.

tectors of the entire plebs against violence, and as organs in their negotiations with the first order. These magistrates were to be inviolable; and, as they did not represent the tribes individually, but the whole plebs, they were not elected by the comitia of the tribes assembled in the Forum, but by the centuries in the Campus Martius. It was not required that the plebeian nobles should be invested with any new rights, such as the consulate or any other honour; only the Valerian laws were restored in their full vigour. This is a proof of the wisdom of the senate, who did not hesitate to make the personal sacrifice which a remission of the obligations of their creditors imposed upon themselves, whilst they took care not to make any change in the principle of such obligations. Still, the strong ground which the plebeian magistracy acquired on this occasion, was the means of aiding them to gain additional victories.

The ingratitude of the annalists, whom the later historians followed, has almost obliterated every trace of the memory of the distinguished individual, who contributed essentially to the greatness of Rome, and who would have effected much more, had he not been prevented by the jealousy of his own order. The consul, Spurius Cassius, concluded, in 261, a perpetual alliance with the Latins, and, in 268, with the Hernici. In fact, the sovereign sway of the later kings, could not now be restored; but the united forces of the three nations, were enough for the present, to repel external foes, of whom, the Oscan nations, the Volsci, and Æqui, were the most formidable. Thus secured in his external relations, the consul endeavoured likewise at home, to join the two orders in effectual bonds of union, and to admit the plebeians, who had until that time, known only the burthens of the state, to the use and enjoyment of its property. He promulgated the first agrarian law. Each of the ancient estates was based upon its real property; and thus also, the curiæ, in which the houses were contained, had their portion of land; as the plebs also, when formed, consolidated itself by allotments of land; but with this difference, than in it, it was not the corporation that obtained the lot, but the individual members of it, who received two jugera each, which was, of course, insufficient for his support. But besides these private possessions, there were considerable pieces of land belonging to the state, which each one turned to his own profit, by using it for pasture, on payment of an annual tax. If the state property was increased by the addition of conquered territory, much of which was, of course,

cultivated, the arable land was parcelled out to the citizens, on payment of a tithe, with the condition, that it might at any time be reclaimed by the state. When new citizens were received into the commonalty, a property was assigned to them out of this "*Ager publicus*." The use of it, until divided, belonged exclusively to the people, and not to the patricians, for they had no interest in such division, because they had already received their own share of it. It was therefore the interest of the commonalty to effect the division,—that of the houses to prevent it. Upon this difference, turns the whole history of the agrarian laws, which exclusively relate to the public property. In the time of Cassius, the commonalty were poorer than ever, and he therefore undertook to eject the patricians from their possessions, which they held as tenants at will, and to assign the *undistributed* lands to the plebeians, as a *quiritary* property. His law was passed, but he fell a victim to the vengeance of the patricians. On the expiration of his consulship, he was charged by the questors of blood, (*quæstores parricidii*) before the *curiæ*, with aiming at kingly power; and was by them condemned. The patricians thought this moment favourable for effecting their counter-revolution. They took the right of electing consuls from the centuries, and gave it to their own assembled body, the *comitia* of the *curiæ*. As these latter gave the "*imperium*" to the magistrates, the confirmation of the election by the centuries was an empty name. The execution of the agrarian law was evaded, and the commonalty seemed in this way to be stripped of all power. The tribunes now began to display their influence. They prevented by their veto the levy of troops, and soon forced the patricians to admit the centuries to a share in the election of consuls. Even among the houses, there were jealousies and secret murmurs, probably because the inferior houses thought themselves neglected. A notice in Festus* mentions nine noble personages, who ought to have been burned alive for high treason, and we know how the Fabian house sought to win the favour of the commonalty, and being engaged in hostility with its own order, marched to the war against the men of Veii, wherein all its members, abandoned by the patricians, were cut off. The tribunes succeeded in obtaining the condemnation of the consul Menenius, whose duty it was to have gone to their relief; and impeached, in succession, all the consuls, who had eluded the execution of the agrarian law. The assassi-

* In *Fragm. s. v. Nautii consulatus*.

nation of Cneius Genudius, one of their body, in 281, did not daunt them; a revolution took place in 282, in which the commons seized upon the capitol, and forced the patricians to pass the law of Publilius Volero, which enacted that thenceforward the tribunes and plebeian ediles should be elected in the comitia of the tribes; and that in these comitia, the plebs might frame resolutions respecting the entire state. This was an important victory, because, on one side, the clients devoted to the patricians, were thus excluded from all share in the elections, and, on the other hand, the plebs was authorized to make resolutions, which had the same force as the "petitions" of the Commons, in the old British constitution. The patricians soon repented of these concessions, and joined in new and stronger alliance, to stay the execution of the agrarian laws. But as all the efforts of the tribunes were unavailing, the indignation of the commons was turned against the whole constitution, which obstinately persisted in considering them an "alien" people. The clamour for a total reform became every day louder and more violent; and Caius Terentilius Harsa, introduced a measure for this purpose in 292. It enacted, that the distinction between the two orders should be abolished, the power of the consuls replaced by a more limited authority and magistracy, and that a code of equal rights common to every class, should be introduced. The ten years during which the differences and discussions respecting these laws lasted, are among the most troublous in Roman history,—riot, tumult, sedition, and bloodshed, were not wanting to complete their horrors. After the number of the tribunes had been increased to ten, in order to give more efficacy to their efforts, it was agreed, for the sake of peace, that the plebeians should relinquish their demand of the election of a legislative college, equally constituted from the two orders, and that a council of ten senators should be invested with consular and legislative powers. It was composed of the supreme magistrates of the current year, the consuls, prætors, quæstors, and five others elected by the centuries. They were styled the decemvirs. Their legislation was twofold; for private and public rights, they established an unchangeable standard. These ordinances have not come down to us, but it is clear that the decemvirs proposed and put in force for a time, a complete reform in the constitution. It tended to a closer union between the two orders; and, to this end, the patricians and their most ancient tribes were abolished, and the clients and ærarii were enrolled among the plebeian tribes. By this measure, the plebs,

as an estate, was dissolved, and the patricians, whose families had been considerably diminished in number* by the common diseases of the country, and the ordinary fate of *close* families, still continued to be a considerable body of nobles; and their *curiæ* were no less numerous. The consular power was distributed in such a way, that six magistrates, three of each order, should be invested with the command of the armies, with the title of military tribunes; two others, a patrician and a plebeian, shared at home that power, which was afterwards distributed between the prætor and censor; and two more acted as judges, in the same capacity as the curule ediles of a later period. This constitution, by which, equal rights were given to all, contented for a time both parties; but it soon became odious, and was abolished, on account of the great crimes, into which the power given to the magistrates led them. The victory gained by the plebs over the decemvirs, at first procured for the former an important advantage, in the Valerian law, which was a developement of that of Publilius; and which enacted, that the resolutions framed in the comitia of the tribes, (*plebiscita*,) should possess equal force with those of the centuries, inasmuch, as when approved by the senate and *curiæ*, they should be binding on all. A complete levelling of the two orders, was effected by the constitution of 306, by which it was ordained, that two consuls should be elected with juridical and *censorial* powers; that ten military tribunes should guard the right of the patricians, and command the armies of the state; and that ten plebeian tribunes should protect the rights of the plebs; one half of all these magistrates to be elected from the patricians, the other from the commons. But the state was not ripe for this constitution, and the aristocracy soon began to make new encroachments. Nothing but a revolution could force the abrogation, on the motion of the tribune Canuleius, (310), of the law of the twelve tables, which forbad the intermarriages between the two orders. New disputes brought on a new constitution, (311), by which, the decemvirate was dissolved in its threefold powers;—the censorship, which, with its discretionary powers, was a formidable office, and the quæstorship, were reserved to the patricians; the former being conferred by the senate and the *curiæ*, the latter by the centuries. The military tribunate was open to both

* After the example of Gibbon; Dr. Arnold gives on this occasion, a general view of the Roman law, which is very clear in itself, but wherein it would be difficult to distinguish what was primitive, from that which was the result of a more recent developement.

orders ; the plebeian tribunes were to be exclusively elected by that order. But as the patricians always possessed considerable influence over the centuries, and as the magistrate who presided at the elections, had the power of rejecting or receiving the votes of the electors, the houses retained for a long time the military tribunate in their own order. Notwithstanding this, they farther strained every nerve, to procure the election of consuls in lieu of tribunes. Meanwhile, the power of the commons was gradually increasing, and after the violent death of their benefactor Spurius Mælius, (316), the authority of the tribunes had become such, that even the senate earnestly requested their interference in 325, to force the consuls to name a dictator. In 328, a new concession was gained, by the enactment, that the centuries should decide upon peace and war ; in 334, the questorship was opened to the plebeians ; and from that time, the progress of their privileges was slow, but ever advancing. A new agrarian law required the allotment of certain territories lately acquired by conquest, and the regular payment by the patricians of tithes for public lands held by them. At last, in 349, when a war was threatened with Veii, the motion of the tribunes was adopted, that from that time forward, a tithe should be regularly levied on such lands, and the produce thereof, to be appropriated to the payment of the soldiers in the field ; and that in case it should not suffice, a tax should be levied upon the whole people, according to a rate to be determined by the census or valuation of each individual's property. The number of the military tribunes was raised to six, which allowed greater facility of acquiring that office, to the plebeians ambitious of such distinction. The fruit of this union was the taking of Veii in 359.

To this epoch, Dr. Arnold has brought the history of the Roman constitution in the volume before us. "Henceforward," as Niebuhr has well observed, "the Roman people was victorious over the patricians, as the nation was over Italy ; by unwearied perseverance in seemingly trivial beginnings ; by zealous exertions for small advantages at the outset ; by alertness in seizing every favourable moment ; by unbending patience and care, that at least, they should not lose ground in times of difficulty ; and, finally, by redoubled energy in using the forces they had long been collecting, when the fullness of time was come ; by calmness in securing the decisive victory ; and prudence in gathering its fruits." Its final victory, and the perfect equalization of the two orders, as well as the magnificent results of the union so laboriously effected,

the national grandeur of free Rome, and its sway over other nations, will be unfolded in the second volume of Dr. Arnold's work, the publication of which, will, we trust, not be long delayed.

We pass over the external history of the republic, and the sketch of the different nations worthy of note at the epoch of the conquest of Rome by the Gauls. All these passages are distinguished by depth of learning, and charming beauty of style. We content ourselves with noticing one or two of them, where the statements of our author do not seem sufficiently exact. At p. 23, where he says, that besides Rome, there was no other Latin city built upon the Tiber, he seems to forget Ficana, a city destroyed by Ancus Martius, which was, according to Festus,* "*via Ostiensi ad lapidem xi;*" that is, near the spot now called the Tenuta di Dragoncello. In the sketch of the primitive city (pp. 29-31), he has done right in following the systems of Niebuhr and Bunsen, given in the German description of Rome, which are guided by the most scrupulous critical judgment; but in one particular, where he speaks of the ancient "*pomœrium*," he has followed them too blindly. The limits of the pomœrium, or boundary of the city, of which Tacitus has given us an exact description, ran, according to his account, "*per ima montis Palatini.*"† We must, therefore, place the "*Curix veteres*," which were comprised within it, at the foot of the same mount. The reason why Niebuhr (i. p. 283), and Bunsen‡ extend the pomœrium as far as the Baths of Titus,—an extension at which Niebuhr himself is astonished,—is founded on a passage of Flavio Biondo, the father of Roman topography, who mentions, that in his time (1440), notarial instruments and popular tradition, styled an edifice in their neighbourhood, the "*Curia recchia* ;|| a circumstance noticed also by Marliani.§ But this *curia*, according to Biondo's own account, was no other than the Baths themselves, which had received, during the middle ages, a more sounding name, just as many other edifices are termed "*palatia*." Upon this point, popular tradition, generally so worthy of credit, may be considered silent. "*Mons Marius*," as Dr. Arnold calls it (p. 33), received its name of "*Monte Mario*," in modern times, in the same manner as the river Sacro, in ancient times, was named, not "*Saccus*," as he supposes (p. 181), but "*Trerus*." We must leave the ques-

* Sub voc. *Puilia saxa*.

† Tacit. Annal. xii. 24.

‡ Beschreibung von Rom, vol. I. p. 137.

|| Roma restaurata, ii. 32.

§ Urbis Romæ Topogr. p. 79.

tion undecided, whether the substructions of the Capitoline temple (p. 52) really belong to the age of the kings, or not rather to a republican restoration; as that of Catulus, who built the wall of the "*tabularium*," which it so closely resembles. But, with respect to the form of the temple, it has been clearly established by Müller and Bunsen,* that it had only one, not two rows of columns on each side, as Dr. Arnold thinks (p. 96). The frontiers of the Hernici are extended too far (p. 182); they never reached to the Liris; for Frusino and Fregellæ were not cities of the Hernici, but of the Volsci. Dr. Arnold places all the conquests of the Æqui among the Alban hills (p. 185); but Tribia, which was one of them, was situated considerably up the Anio, exactly where Trevi, beyond Subiaco, now stands. In the notes, at p. 207 and p. 377, the site of the ancient Roman stronghold of Carventum is discussed. It cannot have been, as Sir William Gell asserts, the spot now called "Rocca Massima," which does not possess any ruins whatever, because it would have been in the centre of the Volsci; but must have been upon Mount Algidus, as well as Verrugo, the other stronghold. The chain of Algidus has two elevated points, both well suited for the site of a fortress,—Mount Artemisio, above Velletri, and the Maschio dell' Ariano. It is at least certain, that, upon the latter there are still existing the extensive ruins of a fort, which must have been very ancient; three walls of peperino, rising in terraces, with an old road paved with lava, leading to them; and it is, therefore, highly probable that this was one of the two fortresses. It is very possible, that Artena was near Monte Fortino; but it was not, as he imagines (p. 379), on the very site of the modern town, but more than a mile to the south-east, where the remains of a cyclopean wall, raised upon an elevated level spot, are discoverable. They are described in Nibby's late work (i. p. 271). The same author clearly proves, that Falerii was upon the site of Civit  Castellana; and the Roman colony at S. Maria di Falari, not where Dr. Arnold (p. 401, *note*) places it. The ruins at S. Maria, especially the theatre, bear marks of a later period, and are in the plain; whilst Falerii, as Plutarch informs us, was upon a fortified hill, like Civit  Castellana, where very ancient walls are still seen. The Flaminian way did not pass by it, because the ancient city was soon abandoned. Other remarks present themselves, but we have already delayed our readers too long.

* Beschreibung, vol. i. 653.

The merit of Dr. Arnold's work,—the air of candour and sincerity it breathes throughout, appears in a much stronger light, when it is compared with M. Michelet's work, which seems at first to be conducted upon the same principles. The latter is an enthusiastic admirer of Niebuhr, "who, though a northman and a barbarian, renewed Roman history,—as Rome was in former days renewed by the invasion of the northmen." (vol. i. p. 9). But Niebuhr would be puzzled to recognize his own ideas in the form which his French disciple has given them. Michelet is learned and ingenious, and his style sparkles with the usual brilliancies of French prose; but, unhappily, he is too deeply imbued with the false philosophy and extravagant love of system in mythology, which influences so many of the French antiquarians and historians,—who, though sceptical enough when real objects of faith are concerned, are over-credulous in admitting systems and conjectures wholly gratuitous. In this way, M. Michelet, instead of regarding Roman history in its own objective reality, labours, in the first chapters, which treat of the period embraced in this article, to construct like a philosopher, *à priori*, the history of Rome, which he does not respect as having really once existed, but regards as the substratum whereon to build his own theoretic system. On this account, his exposition, however elevated and interesting it may be, does not admit of any extracts or criticism, because the extravagant, the ingenious, and the true, are so completely mixed up with one another, that it would be impossible to draw out one feature without destroying them all. According to him, the old Pelasgic city of Rome was invaded by a band of Sabine banditti, personified by Romulus. He is the Italian Mars, united to the oriental Vesta, that is, the plebeian and the patrician. But being too plebeian for the severe Vesta, who is, no one knows why, the Tory goddess of Rome, he is destroyed. He revives in Tullus Hostilius, who is a second impersonation of a warlike founder of Rome. The combat between the Horatii and Curiatii corresponds to that of Romulus and Remus. *Horatius* is a form of *Curiatius*, and *Curiatius* (from *curia*) signifies *noble*, *patrician*: their struggle is no other than that of the patricians of the two nations. Horatius kills his sister,—that is, Rome kills Alba, her sister or mother. M. Michelet naturally adopts Müller's theory about the Tarquinii and the Etruscan rule at Rome. In it he sees nothing but religion, priests and symbols; we enter a world of prodigies, oracles and wonders, and even in

the simple account of the manner in which Sextus Tarquinius got possession of Gabii, which is another version of the story of Zopyrus in Herodotus, we behold "the symbolic language of mute Etruria." (Vol. i. p. 77). The domination of the Pelasgic Etruscans, (for M. Michelet admits none but Pelasgians), delivered the Latin Pelasgians from their oppression, for the sacred was more pleasing than the warlike *patriciate*. The Latins, the plebeians were much worse situated when the rule passed into the hands of the Etruscan Lucumones, denoted by the name of *Servius* Tullius (from *servus*). But after the final expulsion of the Etruscans, in the person of their chief, Tarquinius the proud, the heroic and aristocratic spirit of the Sabines prevailed, until the people secured for itself an equality of privileges. In this fashion, without any distinction between the true and the false, M. Michelet continues his history, which amuses and even instructs those who are previously versed in Roman history; but to learn it thoroughly, the reader must have recourse to Dr. Arnold's work.

ART. IV.—*Muhammed's Religion, nach ihrer inneren Entwicklung und ihrem Einflusse auf das Leben der Völker.—The Religion of Mohammed considered in its internal development, and its Influence on the Life of Nations. An Historical Treatise, by Dr. Döllinger, Professor of Theology at the University of Munich. Ratisbon, 1838.*

AT the very moment when Christianity had come forth victorious from her long struggle with heathenism, and after regenerating the individual and the family, was preparing to shed her beneficial influence on the state, the arch-heresy of Islam arose to impede this work of mercy and love. In a moral, intellectual, and political point of view, this religion formed the most decided contrast to the Christian faith. Christianity—that law of perfect love—that developement of the primitive revelation, by proclaiming the great work of atonement, which her Divine founder had accomplished, whereby the hand-writing against the sons of Adam was obliterated, filled up the immense void which had subsisted between the creature and the Creator, and together with the guilt of original sin, removed from the heart of man much of the shame, misery and disquiet, which the consciousness of his fall had produced. Mohammedanism, by denying that Divine work of redemption,—by establishing in its room a sterile, abstract Monotheism,—by endeavouring to restore the primitive

Patriarchism without its hopes, its mysteries and its ethics,—did nought else but bring back *the infancy of mankind without its innocence and its consolations*, and threw the human mind back into that state of spiritual ignorance, helplessness and torpor, from which Christianity had rescued it. The Christian ethics penetrated into the inmost recesses of the human heart, regarded outward actions only according to the spirit in which they were performed, watched over the slightest motions of the will, and brought the whole inward man under subjection. True to its spirit of dead legal formality, Islam, on the contrary, took cognizance more especially of outward actions, paid little regard to the discipline of the interior, and let the natural passions and appetites grow up in all their wild, rank luxuriance.

In her sacraments and her worship, Christianity symbolized the doctrines and the history of the redemption, unfolded all the graces of that Divine work in reference to the spiritual wants of humanity, and by the most august and touching ceremonies, enlisted the senses, the feelings, and the imagination, in the cause of piety. Islam, a hollow, superficial Theism, has no sacraments, for it has rejected the mystery of the atonement; it has no sacrifice, for one or two meaningless rites allusive to the typical sacrifices of the Old Law, deserve not that appellation: and its liturgy, devoid of all ceremony and figurative representations, is the most bald, frigid and meagre, that it is possible to conceive. In fact, Mohammedanism, in this respect, is what an illustrious German writer has characterized it, “a distorted, abortive Judaism, that came six hundred years too late into the world.”*

If we consider the influence of the two religions on legislation and government, what a contrast do we here find! Christianity, by proscribing polygamy and divorce, has restored the dignity of the female sex; by abolishing the barbarous right of life and death of the parent over the child, has rescued from oppression the most helpless portion of humanity; and by first mitigating, and then abrogating, slavery, has imparted immeasurable happiness to the largest portion of mankind. She has mitigated the system of warfare, introduced mildness and equity into all international relations, and by confirming the authority of the sovereign, and ennobling the obedience of the subject, has gradually introduced into Christian states a degree of freedom, happiness, and civilization, of which antiquity can furnish no example.

* Frederick Schlegel.

Islam, on the other hand, opened the most dangerous facility to divorce; sanctioned polygamy and concubinage to a more libidinous extent than the world had yet witnessed; reduced woman to be a mere ignoble instrument of lust; and if it relaxed in some degree the fetters of the slave, yet by the system of blood-thirsty warfare it encouraged, and the cruel rights of conquest it everywhere introduced, neutralized in this respect whatever services it had rendered to the cause of humanity. If in ethics, Mohammedanism has made man the passive instrument of the inevitable decrees of Allah; in politics, it has rendered him the trembling slave of his earthly vicegerent; and in every country, where it has become predominant, it has established the most unlimited despotism of state.

But it is now time to introduce our readers to the excellent historical treatise at the head of this article. The name of Dr. Döllinger must be already familiar to our readers, for his writings have been more than once alluded to in the pages of this journal;* and even in the last Number, we ourselves had occasion to notice his excellent *Manual of Church History*. This distinguished clergyman, who is as yet only in the prime of life, fills the chair of Theology at the University of Munich, and is not only one of the most eminent divines of Germany, but a most learned and critical historian, an elegant writer, and a scholar exceedingly well versed in ancient and modern literature.

The present treatise is a most masterly exposition of the internal nature and moral and political influence of the Mohammedan religion. Much as the previous works of the writer are distinguished for solid judgment, critical sagacity, and delicate perception, he reveals in this disquisition a power of profound observation, superior, we think, to anything he had yet evinced. The learning displayed in this treatise is very various and extensive. Every important assertion is supported by copious citations, or minute references. The authorities quoted are the Koran, or the religious and judicial writings of the Mohammedans, the narratives of the Mussulman historians, the testimonies of the most judicious European travellers, and the researches of the learned orientalists of Europe. The works of our Oriental Translation Society are among the sources, from which our author has most copiously drawn. We have only to add, that the style of this disquisition is remarkably elegant and attractive.

* See Dublin Review, No. XI. p. 281.

We shall now proceed to give our readers an analysis of its contents.

Our author commences with a rapid view of the state of religious parties in Arabia, prior to the introduction of Mohammedanism. The Jews at that period were numerous and active in the Peninsula: the Christians split into a variety of sects, and much degenerated in morals; the Parsi powerful in some districts; while the old Arabian idolaters, and particularly the tribe of Koreish, to whom Mohammed belonged, entertained the hope that they were soon destined to be favoured by Heaven with some extraordinary revelation. They argued, that as the Jews and Christians, the natural and adopted sons of Abraham, had shown themselves unworthy of the Divine Revelations successively imparted to them, it was their turn, as the descendants of the patriarch by his son Ishmael, to become the organs and defenders of a new revelation, more perfect than Judaism and Christianity. So widely spread was this feeling among the Arabian idolaters, that several pretended prophets arose simultaneously with Mohammed, to proclaim to their nation what they conceived, or pretended, to be the new manifestations of Heaven.

In the following passage, the causes of the success, and rapid diffusion of the Mohammedan religion, are, we think, stated with great force, clearness and precision.

“The fortune of arms, however, decided in part only, after his death, in favour of the son of Abdallah; and thus did a rigid Judaism, founded on the abstract unity of God, divested of his redemptorial character, and of all the deeper spiritual elements connected therewith, become the predominant religion in the Peninsula, and shortly afterwards, in the larger portion of Asia and Africa.

“The yoke which Islam imposed on the first believers, was, on the whole, not oppressive. The articles of faith were short, and extremely simple; the unity of God, the mission of a series of prophets, which terminated with Mohammed, the resurrection, last judgment, and final retribution. We find no mystery, no atonement, no sacrament, no painful penitence; self-denial, renunciation of man's dearest inclinations, was not required: the passions were not so much restrained and brought under discipline, as concentrated on one object, the struggle for the diffusion of the new faith. To the most violent impulse in the human breast, such limits only were set, as the voluptuary would easily endure. The prohibition of wine could not be burdensome in a country, where the fruit of the vine does not flourish; nor could the periodical fasts be very inconvenient, where the sterility of the soil often imposes privations on the wealthy, and even the climate invites to the greatest moderation in diet. The heaviest burden was the tax for religion, originally instituted under the name

of alms; but this tax was repaid a hundred fold by the richest spoils. By this small sacrifice, the believers purchased the chance of endless enjoyment in a paradise of lust.

“The new Ishmaelism was like that illegitimate son of the patriarch, from whom, the founder and the principal believers were descended, and of whom it had been foretold ‘that he would be a wild man,’ that his hand would be against every man, and every man’s hand against him. Like a destructive fire, the new religion, with an uncontrollable, all-consuming violence, suddenly burst forth, from the deserts of Arabia, and in tenfold less time than the Romans had once taken to establish their universal empire, the nations from the Chinese wall to the pillars of Hercules, from the Caspian sea to the Niger, were subjected to the rule of Islam, or to the power of its professors.

“Was it pure religious enthusiasm, was it the fresh vigour of a faith, in its first expansive bloom, that in every battle attached victory to the standard of the Arabs, and in such an incredibly short period, founded the most extensive empire, which mankind had ever beheld? Far other was the case.

“Small as was the number of those, who, from a spontaneous inward conviction, acknowledged the prophet, and the truth of his doctrine, great also was the multitude whom external coercion or the hope of earthly advantage, brought into the ranks of the Moslems. Well did Kaled, *that sword of the swords of God*, describe the union of power and persuasion, whereby, he and many of the tribe of Koreish had been converted, when he said, ‘God had seized them by the heart and by the hair, and had forced them to follow the prophet.’*

“Much weight must also be ascribed, to the proud sense of nationality, which was then perhaps more alive among the Arabs, than among any other people, and which alone induced thousands to prefer their countryman and his religion, to foreign teachers. ‘Ye fools,’ exclaimed the Moslem general, to the Christian Arabs of Hira, who refused to embrace the Mohammedan faith, ‘ye fools, would ye in the wilderness of error, where two guides presented themselves to you, a stranger and an Arab, forsake the latter, and follow the former?’ More powerful still, was the attraction, furnished by the certain prospect of obtaining the richest booty in combating for the new faith, and of exchanging their naked stoney wastes, which furnished them with a miserable subsistence, for the fruitful and luxuriant plains of Persia, Syria, and Egypt. ‘If even we did not combat for the cause of God,’ said Kaled to his warriors, on crossing the Persian frontier, ‘but merely wished to provide for our sustenance, we should seek to obtain possession of these fields, and henceforth to leave poverty and hunger to others.’† Lastly, the sincere believers were stimulated by the confident hope of gaining immediate participa-

* “*Taberistanensis Annales regum atque legatorum Dei*,” ed. Rosegarten, 1835, vol. ii. p. 103.

† *Taberistanensis*, vol. ii. p. 25.

tion in that paradise and its delights, whose possession, every stroke of the sword, every drop of blood, shed in the conflict against unbelievers, infallibly secured. These were they, who as the Moslem generals often reminded their enemies, panted more ardently after death, than other men for life."—p. 4-6.

This wild torrent which gushed from the rocks of Arabia, rolled with headlong violence over Egypt, Syria, Mesopotamia, Persia, Transoxana, Western Africa, and Spain; sweeping down, in its course, religious and political institutions, laws, manners, customs, and all national peculiarities. But in these regions which it thus overflowed, its wasting waters left a slime on which a new system of polity, manners, and civilization, was to be erected.

Mohammed was at once a teacher of religion, and a law-giver in the whole compass of moral, civil, and political life; he was, his disciples say, a prophet,—not according to the model of Jesus, who avowed himself, that "His kingdom was not of this world," but according to the model of Moses.*

Dr. Döllinger points out the glaring defect in the civil and domestic laws and usages of Islam; which, adapted only to the simple manners of the rude pastoral tribes of Arabia, were utterly unsuited to the condition of nations in another climate, or in a more advanced stage of civilization. This defect in the rigid letter of the laws of the *Koran*, was in some degree corrected by the *Sunna*, or body of oral traditions; which comprise the sayings, genuine or spurious, of the Prophet, in relation more particularly to the civil and ceremonial part of his legislation.

After having described the successful propagation of the Moslem faith by force of arms, our author proves how this religion places its followers in a state of permanent hostility with the professors of other creeds; and, by many cogent examples, shows the atrocious and sanguinary character of its code of warfare, the ill-treatment and cruelty which it sanctions towards captives of war; and the misery, persecution, and violence, which await all disbelievers subjected to the sway of its disciples. Even the comparative indulgence of offering tribute in lieu of embracing the *Koran*, which Mohammed and the first caliphs accorded to the nations of the Book,—that is to say, the Jews and the Christians,—was, particularly with regard to the latter, in course of time, restricted. The Christians, for their belief in the doctrine of the Trinity, were sometimes ranked among polytheists; and their hard lot in Moslem states, frequently still more embittered by insults and

* "Herbelot, Bibliothèque Orientale," p. 155.

vexations of all kinds, and sometimes even by bloody persecutions.

This religion, founded by force of arms, has, for the most part, been diffused by the same means.

“It is a peculiar feature of Islam,” says our author, “that from its origin, it has never sought, by means of instruction and persuasion, to defend and diffuse its tenets among the professors of other religions. The different heretical sects, which, since the second century of the Hegira, sprang out from the bosom of this religion, have sent forth, in all directions, their missionaries or Dais, to win over to their peculiar doctrines, by preaching and persuasion, the orthodox Moslems; and with the most unwearied zeal, and striking self-devotedness and perseverance, have they given themselves up to this dangerous calling. But to the work of converting unbelievers, with the exception of a few rare cases, no missionaries have ever been sent forth. Ibn Batuta relates, that the inhabitants of the Maldivé islands, had been converted by an Arab from Magreb;* but it was not the calling of a preacher of the Faith, that had first led him to those islands; he had only turned to advantage the circumstances and favourable disposition of the king. Indeed the simple summons, which a herald, or the first good Mussulman, made to any city or army, to acknowledge a belief in one retributive God and in the mission of Mohammed, seemed, according to Moslem ideas, quite sufficient; and he, who at this summons and invitation, did not immediately make the required profession of faith, was regarded as an unbeliever, hardened by God’s predestination, and towards whom, no farther duties were to be fulfilled. Of all attempts to convince by motives and reasonings, there could be no question; for the primary proof, which consisted in the incomparable beauty of the Koran, was impervious to the understanding of all but Arabs. On the whole, the idea of working on the minds of the professors of other religions, by means of instruction, is so little congenial to the spirit of Islam, that to such, she rather impedes than facilitates access to her fountains of religious knowledge. In the countries where the Moslem fanaticism has been least enfeebled, it is even considered a crime to teach a Christian Arabic; and should any foreigner wish to enter a Mosque, in order by the prayers and religious instructions there given, to acquire information in the religion, he would most certainly forfeit his life.”—pp. 16-17.

True to his system of impartiality, which, throughout this treatise, never permits him to pass over any point in anywise favourable to the Mohammedan faith, Dr. Döllinger shows that this religion has made some considerable conquests without the employment of force. In his *Ecclesiastical History*, the author had expressed an opinion, that Islam in its rise

* “Travels of Ibn-Batuta” (about the year 1325), translated by Lee, p. 180. London, 1829.

and progress, seemed designed by Providence to accomplish two great objects,—namely, the chastisement of the degenerate Christians of the East, and the preparation of the savage tribes of Africa for the more spiritual doctrines of Christianity. The latter part of this opinion, the reader will, in the following passage, find developed and supported by some curious facts.

“ Particularly striking, is the progress, which Islam, less by coercion and the force of arms, than by the milder means of example and persuasion, has made, and still continually makes, in the interior of Africa; and we may be permitted to indulge in the idea, that this religion, which is more nearly a kin to the rude condition and low capacity of the Negro races, and hence finds easier access to their minds, than the more spiritual doctrines of Christianity, has here a mission to fulfil, and serves as a preparation and medium of transition, for the future introduction of the Christian faith.

“ Even Ibn Batuta, who, in the year 1356, traversed the Great Desert as far as Soudan and Melli, found Mohammedanism widely diffused in those regions;* and was astonished on the one hand, at the religious zeal of the inhabitants in Melli, where all regularly went through their prayers, and the fathers compelled their sons to learn the Koran by heart; and on the other hand, at the exposure of the female sex, a practice so contrary to the laws and ideas of Mohammedans. In Bornu, westward of Nubia, Islam prevails, and indeed in its rudest form. The sovereign of this kingdom, who had been formerly a private individual, placed himself as the ‘servant of God,’ in the name of the prophet, at the head of the nation; delivered the country from the tyranny of the Felatahs; and then ruled it with the most unbounded sway, in spiritual and temporal affairs. Whoever, by tasting a drop of water, broke the fast of the Ramadan, was scourged to death; women who had been guilty of immodesty, the Sheik ordered to be hung up; while numerous spies informed him of every transgression of the laws of the Koran, which was immediately visited with the heaviest punishment. So English travellers recently found the state of things.† Even in the countries situated more westward, in Soudan and Husa, the great empire of the Felatahs, whose Sultan asserted, ‘God had given to him the whole country of the Unbelievers,’ (that is, the interior of Africa,) Mohammedanism prevails. It may here probably trace its origin to eight hundred years back, when in consequence of religious wars and persecutions, Arabs and Berbers sought out new abodes in the interior of Africa, colonized Soudan, and founded the kingdoms of Ghana, Tokrur, and Berissa. The progress of Islam would have been still greater in these regions, had not the principle, that everything

* “Travels of Ibn-Batuta,” translated by Lee, p. 233-241.

† “Narrative of Travels and Discoveries in Northern and Central Africa, 1822-24,” by Denham, Clapperton, and Dudley, p. 103. London, 1826.

against unbelievers is lawful, and the frequent expeditions for the capture of slaves, which this principle led to, enkindled an irreconcilable hostility between the Moslem tribes and the heathen races, in the interior of Africa. In a less pure form, and mingled with Pagan practices, Islam was recently found by the two Landers in the countries by the Niger, in Bussa, Wawa, and Kiama; yet it had brought about, at least, the abolition of human sacrifices, and set some limits to that monstrous monopoly of women, which, according to Pagan custom, is allowed to the kings and chieftains of the Negro races.* In Timbuctoo, Mungo Park found Mohammedanism at court, as well as predominant among the population; and the Moslems by their sobriety, were advantageously distinguished from the heathen Negroes, who were quite given up to intoxication."†—pp. 18-19.

Our author proceeds to notice the state of the family, and more particularly of the female sex, under the Mohammedan religion. This is, indeed, one of the darkest sides of Islam. Woman is considered an inferior being in the scale of creation;—her soul in the next life, held as excluded from the society of man, and herself treated in this world merely as an instrument for the gratification of his lust, as well as for the propagation of the human kind. We find no care bestowed on her religious and moral education; she goes through a mere mechanical routine of prayers; and in her youth, is not permitted even to visit the mosque; for the very exercise of her religion, implying some degree of intellectual equality with man, is frequently an object of jealousy to her domestic tyrant. Dr. Döllinger depicts, in strong colours, the dreadful effects of polygamy, as well as of the right of concubinage, which, among Mohammedans, is still more frequently indulged. The moral degradation of woman—the physical and mental debility of the male sex—heart-corroding jealousies—life-consuming envy—the most violent and culpable acts of vengeance—crimes of a revolting and disgusting nature—the disquiet and misery of private life—the perpetual agitation, commotions, and revolutions, of public life,—these are all shown to be the natural consequences of this baneful institution. Equally pernicious to the individual, the family, and the state, is the right of divorce vested in the stronger sex,—a right whereof the use is sanctioned by the Koran on the most frivolous grounds, and exercised especially by the lower classes of Moslems, in its most fearful latitude.

* "Journal of an Expedition to explore the Course of the Niger," by Richard and John Lander. London, 1832, 3 vols.

† Park's "Travels into the Interior of Africa," ch. 11. London, 1817.

In the following passage we meet with a masterly characteristic of Mohammedanism, considered in its doctrines, its morality, and its worship.

“At the sight of such deep and general corruption, which preys on the very roots of the social state, dissolves all the family ties, and poisons the holiest relations of life, we are tempted to say, if such sweeping judgments were not always too harsh and unjust, that Islam is thoroughly hypocritical, and instead of the truth and reality, presents only the outward appearance and the mask. Thus it boasts of its adherence to the fundamental doctrine of the unity of God; but in consequence of a denial of the Divine Trinity, possesses but the abstract covering without the internal truth. It surrounds itself with the outward splendour of a conscientious exercise of prayer; but, as the living breath of genuine devotion and union with God is absent from its forms of prayer, it presents only the bloodless, lifeless skeleton of piety. Its rigid precept of fasting, and its prohibition of wine, should doubtless confirm the believer in the useful virtue of self-denial and self-government; but, as in respect to that natural propensity, which more than every other, requires severe discipline and restraint, it accords an almost unbounded indulgence, so in its fasts we discover only the delusive mask of abstinence and self-restraint; and how little the law against the use of intoxicating liquors has availed, is but too well known. The vice of drunkenness has not been prevented by this law; but, on the contrary, the frequent and often public violation of it has tended to undermine the authority of the other laws of the Koran; and the history of the Caliphate contains a multitude of traits of drunken debauchery, and of the crimes thereby occasioned.* And what is in fine this rigid external discipline—this veiling and this separation—this prohibition of all intercourse with other men, which the Koran imposes upon women? what else is it but the hollow caricature of chastity; since the degradation of marriage and of the female sex, and the extreme facility of divorce, which it sanctions, are totally incompatible with the very essence of female purity, honour and decorum?—In fact, to such a pitch has the corruption, in some parts at least, reached, that, according to the testimony of credible witnesses, the El Merekedes, a branch of the great Arabian race of Ashur, abandon to every stranger that passes the night with them, a woman out of their own family, and reckon this among the duties of hospitality. It is only in very recent times, that they have been forced by the Wahabees to renounce this depraved custom.”†—p. 27.

Our author next examines the state of slavery among the

* “The Mogul Emperor, Baber, before a battle, made a vow to abstain in future from wine; and three hundred persons of his court and army, likewise vowed to reform their conduct. The wine was then poured out, or turned into vinegar; but Baber confessed afterwards, that he sorely repented him of this burdensome vow, and that it had cost him many tears.” *Memoirs of Zahir-Eddin Mohammed Baber, written by himself. Translated by Erskine, London, 1826, p. 318.*

† Buckhardt’s “*Travels in Arabia*,” vol. 11, p. 378.

Mohammedans; and here the example of Christianity is found to have exerted a beneficial influence. The Koran strongly recommends the mild treatment of slaves; their enfranchisement under certain circumstances is enjoined; and their condition is altogether much superior to that of the unhappy bondsmen of antiquity. But in course of time, as war multiplied the number of captives, and moral corruption spread wider among the Arabs, the lot of slaves, especially when their religion differed from that of their masters, was deteriorated; and even the inhuman right of life and death accorded to their proprietors. One of the most singular phenomena in all history was the *Doulocracy*, or government of Circassian slaves in Egypt; an institution which reveals the spirit of mutable, fantastic, licentious, and unbounded tyranny, peculiar to Islam.

Dr. Döllinger next enters into an examination of the nature and extent of religious and political authority in Islam. All political power is there an emanation of religious authority; the Caliph, the Prince of Believers, is at once supreme head in Church and State; and the most unlimited sway is vested in his hands. In the ancient caliphate, and even in the present Ottoman empire, whose sultan is regarded as a successor of the Prophet, the spiritual dignity with which the ruler of the state is invested, and the remembrance of the obligations it imposes, tend to circumscribe in some degree this boundless despotism. But in Persia, in the empire of the Great Mogul, and in other Mohammedan states founded on mere military force, the practice keeps pace with the theory of lawless tyranny.

The government of unlimited despotism is not, as many believe, a natural production of the Asiatic soil, but the necessary fruit of the Mohammedan religion. This assertion Dr. Döllinger proves by the example of India, whose native kings were checked in the exercise of their power by the immunities of the several castes, and the municipal rights of the cities of the realm: and even by the example of China, where her emperors, though invested with far more absolute authority than the Hindoo princes, could appoint no functionary but out of the list of candidates furnished by the class of Mandarins. The character of Moslem despotism is best evinced by the proverbs current among the Orientals. A Persian proverb says, "The neighbourhood of the schah is as a burning fire;" and an Ottoman saying declares "the neck of the slave to be thinner than a hair." The Persian king is so

completely master of the life and property of his subjects, that even an order of death, given in a fit of intoxication, is executed without the least formality. In Turkey, where the tyranny is of a less brutal and sanguinary kind, all property was declared by the founder of the Ottoman dynasty to belong to the sultan. He, too, has been pronounced by the Turkish doctors to be invested with such a character of inviolable sanctity, as no immorality could pollute; and to have the right of putting to death every day fourteen persons, without assigning a reason, or incurring the charge of tyranny. The weight of this tyranny falls more particularly on the councilors of the sultan, on the members of his own family, and on the grand functionaries of the empire. In illustration of this, our author states the remarkable fact, that from the year 1370 to 1789, a hundred and eighty-six statesmen have filled the office of grand vizier; so that the greater part scarcely held the dignity beyond two years; and many, after a short administration, perished by the hand of the executioner.

The institution of the Ulemahs is one peculiar to the Ottoman empire.

This corporation consists of the jurists and doctors of the law, the judges, and even ministers of worship, who occupy, however, an inferior grade in the body. Their duty is to explain and interpret the Koran and the Sunna, in all matters of law, religion, and administration; and their fetwas or decisions impart to the edicts of the sultan, a legal sanction binding on the conscience of his subjects. This is the only approximation to an aristocracy existing in any Moslem country,—where spiritual and temporal power being completely identified, there exists no regular order of priesthood; where political authority being declared one and indivisible, there can exist no social hierarchy, or division of subordinate powers in the state; and where, as the sultan is the source of all property, the municipality can lay no claim to the independent administration of its possessions.

The author examines the various attempts at reformation made by Moslem monarchs; and as Islam was founded and diffused by force alone, so it was but natural that these internal reforms should be brought about only by physical means, and by political power. The orthodox Moslem, indeed, sighs over the decay of zeal, and the progress of wickedness; but to check the one, and revive the other, constitutes, he thinks, the exclusive province of sovereignty. And the sovereign in his turn firmly believes that the application of the bastinado, or

the lopping off of a certain number of heads, is the only efficacious remedy for the correction of abuses, and the restoration of piety and discipline. In the Christian Church, on the other hand, projects for the reformation of manners and the revival of discipline, originate more frequently with the inferior than the superior members of the hierarchy; and when once they have received the necessary sanction of ecclesiastical authority, they are executed and enforced by spiritual means alone. Dr. Döllinger well defines Islam a vast *Police establishment*; and the facts he adduces in support of this remark are extremely curious and interesting.

The author next shows, disregard for human life, and ill-treatment of the human body, to be a striking characteristic of the Mohammedan faith. This cruelty is but the natural result of that unbridled lust, which this religion sanctions and promotes; for, as our great poet has truly said, "lust sits enthroned hard by hate." In the eye of the Christian religion, the human body is a sacred vessel, containing the seeds of a blessed immortality. Hence all torture, all mutilation of that body, are abhorrent to Christian feelings; and whenever introduced by barbarism, have been repressed by the influence of Christianity, and gradually expunged from the code of Christian nations.

The doctrine of predestination comes next under review; and its pernicious consequences to the individual and to the state, to morality and public order, are ably described. The author shows that this doctrine, however modified and restricted by the Moslem doctors, is admitted by the people in all its fearful extent; for it is stamped on their proverbial sayings, and exemplified in their daily conduct. It is sometimes frivolously asserted, that this doctrine, however false and pernicious in other respects, forms *good soldiers*. To this we shall reply, that if it has often inspired troops with a blind, irregular enthusiasm, it is equally calculated, as experience has proved, to infuse into an army sudden dejection and dismay. As one extreme is sure to produce another, the utter apathy of feeling engendered by the doctrine of fatalism, is often succeeded by a restless, violent inquisitiveness into future events. This unrestrained curiosity seeks its satisfaction in the Pagan arts of divination—arts which Islam, with all her horror of heathenism, has been unable to repress, and which Christianity alone, by appeasing the yearnings of the human heart, has been able effectually to proscribe.

The practice of alms-deeds forms one of the fairest sides in

the Mohammedan religion. A great multitude of religious and charitable establishments, especially in the early centuries of the Hegira, were founded by the disciples of the Prophet. Yet in this practice of alms-giving, so strongly inculcated in the Koran, the character of dead, legal formality belonging to Islam, is clearly manifested. The offices of benevolence are considered as things purely external; the love of the neighbour is not deemed an essential condition to impart to those works merit or sanctification; and the Moslem allots his charity as a tax ordained by the law. So little is the exercise of beneficence associated with the idea of virtue, that sovereigns of the most dissolute and ferocious character, have been most scrupulous in the distribution of alms.

The author proceeds to speak of the Moslem clergy, and here enlarges upon the topics which we ourselves incidentally noticed at the commencement of this article. He points out the utter absence, in Islam, of all sacrifice, with the exception of one or two meaningless rites; the want of sacraments; of sacerdotal orders derived from one common source, and transmitted from generation to generation. The nakedness of the Moslem worship, which excludes all symbols and figurative representations, is but the natural consequence of the Mohammedan doctrines. The author profoundly observes, that the dogmas of the Incarnation and Eucharist guard the human mind against the danger of idolatry; and that the Christian, the Catholic especially, before he could fall into such a crime, must renounce his whole moral and intellectual consciousness,—must forswear his very being itself. How can the Catholic, when he believes and knows, that his Redeemer, under the form of bread and wine, sits enthroned on the altar, adore the graven image, or worship the painted sign? Hence, the use of sacred images, which was dangerous to the Jews, from that proneness to idolatry common to all the nations of antiquity, cannot be other than beneficial to Christians, whom the law of grace hath rendered superior to temptations of that kind. But Islam, aware of her utter impotence to protect the weak, restless, mutable, heart of man, against the seductions of idolatry, instinctively proscribed the use of images in her mosques.

But in nothing are the intellectual poverty, jejuneness, and inanity, of this religion, more manifest, than in its festivals; which, unlike those of the Jews and Christians, that commemorate the favours and dispensations of God, call to mind sometimes objects frivolous and profane, sometimes events of

patriarchal antiquity, that have lost all significance for Islam. The author next notices the points of difference between the Moslem and the Christian clergy. As there is no regular hierarchy in Islam, so, although the interpretation of the Koran be not abandoned to individual judgment, yet the principle of unerring authority in the successors of the Prophet, has never been clearly announced, nor systematically developed. In Islam, general councils have never been summoned to decide questions of faith; and the authority of the caliphs in these matters, has, from the contradictory decisions which they have frequently pronounced, been very much weakened in the estimation of Moslems. The absence of a visible, uniform, infallible religious power, is less perceptibly felt in the Mohammedan religion; partly, because its dogmas are so limited in extent, and so jejune in nature, that they present, comparatively, few objects of attack to heresy; and partly, because there is not in its theology, that intellectual activity and energy which Christianity promotes; and from the abuses, as well as the advantages whereof, the Moslem mind is exempted. “Moreover,” says our author, “the heretical sects which sprang from the bosom of Islam, rendered, in most cases, a decision of the orthodox teachers unnecessary; for they assumed an attitude of open hostility to the ruling powers, intending to make their heresy instrumental in the establishment of a religious-political authority.”—p. 66.

The Ulemahs in the Ottoman empire, form, in some measure, an independent spiritual corporation; but here, the legal character of Islam is displayed; for the doctors entrusted with the interpretation of the laws, and the judges on whom their execution devolves, occupy the first and second rank in this corporate body; while the third and last is allotted to the ministers of worship. In Persia, there is no corporation like the Ulemahs; but the ministers of religion, as they deduce their descent from the Prophet Ali, enjoy no inconsiderable degree of public respect, and are occasionally enabled to exert a salutary influence in behalf of the oppressed people.

The dervises, or Moslem monks, pass next under review; and Dr. Döllinger gives an interesting account of the character, principles, and moral and social influence, of these religious societies. The frenzied fanaticism of many of their members—the tricks and jugglery of more—the gross ignorance and coarse sensuality of some—the wild, extravagant, pantheism of others, are ably depicted by our author. What a contrast, in a moral, intellectual, and political point of view,

do these Moslem communities form, with the religious orders of Christianity! For science and literature, they have achieved next to nothing; and living always in cities, they have abandoned the healthful and salutary labours of husbandry. While the most lively and interesting diversity of physical and intellectual pursuits, adapted to every capacity of mind and turn of character,—such as prayer, private meditation, the offices of the Church, choral singing, the education of youth, the cultivation of literature, the care of the sick, and the succour of the indigent; and out of the enclosure,—the exercise of the duties of the sacred ministry, and foreign and domestic missions: while, we say, this variety of pursuits fills up the hours of the inmates of the various Christian monasteries; the Mohammedan dervises, on the other hand, devote their time and energy exclusively to ascetic contemplation.

The heretical sects of Islam, form next the subject of consideration; and this part of the treatise is, perhaps, the most interesting, and the best executed. The history of Moslem sects furnishes a deep insight into the internal nature of the Mohammedan religion; and, in handling this subject, the author not only displays his usual critical sagacity, but manifests a power of profound observation worthy of the greatest thinkers of his country.

“Mohammed is represented,” says he, “as having prophesied that his people would be divided into seventy-three sects, whereof one only was destined to salvation, and all the others doomed to condemnation; a prophecy of whose fallaciousness the Moslem theologians have involuntarily given testimony; since, in the enumeration of the various heresies and schisms that had occurred up to their time, they have proved the full number indicated by their Prophet, and thus have left no space for the later ones, which yet have not discontinued. But it is altogether improbable, that Mohammed should have made this declaration; for it was the existence of so many sects and divisions in Christianity which he adduced as a main proof that this religion was rejected of God, and a new one,—namely, his own, was become necessary. At all events, the fact that such a multitude of various sects sprang out of the bosom of Islam, is, on the first view, somewhat surprising. According to ordinary calculation, and the opinion frequently expressed even among Christians, that the simplicity of a religious system is the best security against schisms and disputes, the founder of Islam might have flattered himself that his followers would have remained bound together by the tie of a common faith, and the unity of his religion been preserved, on the whole, inviolate. For Islam, as it is represented in the Koran and the Sunna,—a religion without mysteries and without sacraments, with

a confession of faith which can be easily written on the finger-nail,—evidently deserves, if the excellence of a religion is to be determined by its simplicity, to be ranked far above the Christian faith.

“In fact, we hear frequently the complaint, that Christianity, which was, in its origin, very simple, was, in consequence of the efforts of men to determine what was uncertain and obscure, ever more and more amplified and interpolated; that the few dogmas primitively revealed, have been spun out by degrees into an elaborate system; and it is imagined, that without this sacrifice of pristine simplicity, neither the later pretended decline of Christianity; nor the protracted, violent, and ever-renewed contests of sects, would have arisen. It is, doubtless, a most singular fancy, to require of any revealed religion, silence on such subjects—the leaving such questions undecided, as press with irresistible force on the human mind; and to obtain a clear conception of which, is an unavoidable want, if not of every individual, yet of the great body of believers. The history of Islam offers, moreover, the most complete refutation of this opinion; for, far more than the Christian, hath this religion been distracted by sectarianism and doctrines of dissent, and been convulsed by the most fearful and bloody religious wars. Of that stability, that steadfast attachment to ancient usages, usually attributed to the Orientals, we find here slight indication. On the contrary, the Moslems, especially in the first centuries of the Hegira, are distinguished for a most feverish inconstancy in religious matters, for the levity wherewith they follow every new meteor of doctrine, and immediately stake in the cause their property and their life. Every teacher, however moderate might be his endowments, was sure to find a soil already prepared for the reception of his doctrine. An opinion, which slumbered unnoticed, suddenly broke forth, and carried away, with wild destructive force, the conviction of many thousands; and, in the fourth century of the Hegira, there was not,—according to the remark of Makrizi,—a single province, a single city, which did not contain swarms of disciples of the most various sects.”—pp. 80-1.

Doubtless, many of the causes, which in the Christian Church were the fruitful parents of heresy, concurred in Islam also to engender it. The love of dogmatizing, and the impatience of all religious authority—the passion to interpret the Koran according to the suggestions of individual reason—the abuses existing in religious institutes, these were the ground, or the pretext for heretical innovations. But that invincible might, which the Christian Church, founded as it is on the rock of eternal truth, is able to oppose to all the assaults of heresy, the orthodox Islam did not possess. There, error is opposed by error: hence both are alike frail, futile and transient.

“In Islam,” says our author, “a Church is wanting equally distinguishable by its antiquity, its unity, its wide diffusion and unbroken succession of heads and teachers : there is wanting the centre of unity, whose ecclesiastical communion would be the sure mark of alliance with the true Church ; for the Caliphate is long since extinct, and he who styles himself successor to the Caliphs, shares this claim with others, and is only the spiritual head of his empire, beyond which he is not at all, or but nominally recognized. There is no uninterrupted transmission of uniform doctrine connected with the succession of the Caliphs ; for, independently of the fact that several Caliphs were even defenders of doctrines afterwards condemned, the Shicte form of faith, so long as Bagdad and its Caliphs were under the power of the Bowijah family, was from the year 945 to 1045, predominant.”

The following profound passage is written quite in the style of the great theologian, Möhler.

“If we reflect, that it is precisely those doctrines which in the Christian Church were exposed to most attacks, and chiefly gave occasion to heretical misrepresentations, such as the dogmas of the Divine Trinity, of the personality of the Redeemer of Grace, of the appropriation of the Atonement, and of the means of salvation, were wanting to Islam ; this must only increase our surprise at the number and the success of the Mohammedan heresies and sects. But it serves only to corroborate the observation above made, that paucity of dogmas, and the indeterminateness of religious questions, protect no creed against religious discord, and the restless assaults of dissenting opinion.

“If the doctrine of the Incarnation of God is really the fundamental dogma, which distinguishes Christianity from Islam, so it is to be expected, that in the nature and development of heresy in either religion, the effect of this diversity should become apparent. And so hath it really happened. Among Christians, all religious controversies—all sects, which have sprung up in the course of ages, have a reference near or remote to the person of the God-Man, and to His great work—the Redemption. Among the Moslems, on the contrary, who had cognizance of nothing more exalted than the prophet and his successors, the highest interest and the warmest controversy on one hand, must attach to the politico-hierarchic question, who really is the legitimate heir of the Caliphate—the visible head of religion and the state ; while, on the other hand, the deep-felt want of the human mind, which Islam had left unsatisfied,—to approach the Divinity through a divine and human mediator,—necessarily called forth those doctrines and sects, which proclaim an in-dwelling of the Deity in certain religious teachers and rulers, or, according to the doctrine of Holul, liken one or more of their Imams to God, as the majority of Shicte sects have done. On the whole, we may trace in the want of a belief in the God-Man, the reason wherefore the Moslem sects have for the most part clung almost instinctively to particular men, who excited in them veneration, which absorbed all their religious feelings, and from whom they looked for their salvation.”—pp. 84-5.

The author then examines the various sects of Islam, the nature of their doctrines, the circumstances of their origin, the influence they obtained, and their affinity with corresponding religious parties in the Christian Church. There have been, beside the great body of orthodox Moslems, who maintain the doctrine of absolute predestination, sects who upheld that of free-will: there have been those who asserted the all-sufficiency of faith without works, and others who denied the existence and operations of divine grace. Antinomianism, in its most frightful shape, Dualism, Manicheism, have all possessed their numerous followers. A singular phenomenon in Islam, are the various parties of Mystics. They cannot be precisely termed sectarians, for they take not up an attitude of avowed hostility to the orthodox; but yet, as their doctrines are founded on pantheism, they oppose the Koran. They hold that nothing is but God, that everything out of God is mere illusion, and that an union with the Deity is the highest—the only true object of human existence. Their depreciation of the laws of the Koran, and their contempt of all religious forms, have drawn down upon them not unjustly the charge of infidelity. On the whole, we may safely assert with the author, that mysticism is not a plant indigenous to the Mohammedan soil, and that when transplanted thither, it is sure to produce the most noxious fruits. In the Catholic Church, on the other hand, mysticism grows out of its very doctrines, and when its culture is regulated by them, it reaches the last exquisite bloom of perfection.

Philosophy in general is so alien to the spirit of Islam—most of its doctrines are so little susceptible of scientific development, illustration, and proof, that its study has almost invariably led to heresy; and in the founders and followers of heretical sects, it has ever numbered its most favourite votaries. How great the contrast which the Catholic religion offers in this point of view, the following beautiful passage will prove.

“And here,” says our author, “a not unimportant parallel may be traced between the Christian and the Mohammedan religion. Islam contained in itself no germs of speculation, out of which a native religious philosophy, harmonizing with the doctrines of the Koran, could be developed. Equally incapable was it of forming a genuine, internal alliance with the Greek philosophy; hence it was the heretical sects, more especially, which encouraged the fusion of the Mohammedan doctrines with the systems of the Neo-Platonists and the Aristotelians, and profited by that union. The most celebrated theologians

and philosophers of the Moslem world, who, without belonging to any sect, endeavoured to give a milder and more philosophic interpretation to the harsh sentences and gross representations of the Koran and the Sunna, or who introduced into the system of Moslem theology the dictates of Greek philosophy, openly avowed that their religious opinions had nothing in common with those of the multitude, and could not in most instances escape the reproach of heterodoxy and leaning towards heretics—a reproach which was incurred even by the oldest Arabian philosopher, Alkendi, then by the two greatest men whom Moslem science has produced—Gasali and Ebu-Sina, or Avicenna, as he is termed by Europeans. Hence, the bitter complaints raised by the orthodox, as to the injury which philosophy has inflicted, as among other things Takieddin said : God must necessarily take severe vengeance on the Caliph Mamum, as by the introduction of philosophic sciences, he caused so much mischief to the piety of Moslems.

“ The Christian doctrine, on the other hand, as it has been preserved in the Catholic Church, has at all times possessed sufficient power and internal consistency to abandon itself, on one side, without fear and without danger, to a free course of speculation within the pale of its dogmas ; and on the other side, to repel every attempt to falsify, corrupt, or otherwise interpolate it, by the introduction of heterogeneous elements of philosophy. This was especially evinced, when, in the third and fourth century, the Platonic philosophy, and in the thirteenth, the Aristotelian, were brought into connexion with the doctrines of Christianity. The Church knew how to protect the circle of its dogmas,—in the former instance from the invasion of the errors of Origen, and in the latter, from the pantheistic opinions of a David of Dinant and an Amalrich. At the time, also, when the Aristotelian philosophy became predominant in the schools, the ecclesiastical system of doctrines had been on all principal points formally explained ; so that, from this quarter, orthodoxy had no danger to apprehend. Lastly, that distinction between an exoteric and esoteric doctrine, which the speculative theologians of Islam have been compelled to make, has ever been completely unknown to Christian science. It never could have occurred to the minds of Catholic theologians to separate the views to which scientific investigation had conducted them, from the opinions of the multitude ; for they well knew, that within the Church, the most uneducated layman is capable of ascending, by the ladder of prayer and devotion, a height of knowledge, unattainable by mere dialectic efforts, and which, the scholar and the speculative thinker without that ladder, will never be able to reach.”—pp. 92-3.

After describing with much learning and force of observation the various heresies of Islam, the author traces its influence on government, manners, national prosperity and science.

The misery and depopulation which this religion has brought on the most fertile regions of the globe, the blight it has cast on all high intellectual cultivation, the depth of moral and political degradation to which it has reduced mankind wherever its sway has extended, are set forth with masterly power.

In speaking of sects, we had forgotten to state, that our author by numerous examples has refuted the astounding assertion of the Protestant historian Schlosser, who, in his *Universal History*, had stated, that the "principles of Islam permit no persecution of sects."

With the following reflections on the history of the Caliphate, we must conclude our review of Dr. Döllinger's masterly treatise.

"Let us now cast a glance on the history of the Moslem states, and the changes of their dynasties. In a religion constituted, like the Mohammedan, the institution of the Caliphate bore in itself the germs of destruction. That, contrary to the intention of the first Moslems, it became hereditary, was but the natural and necessary consequence of the want of a priesthood, bound to the law of celibacy. Polygamy, the voluptuous habits of the Harem, and the intoxicating hope of power, must have early unnerved the sons and successors of the Caliphs, and in room of that sobriety, and that simplicity of manners, whereof the first Caliphs had set so brilliant an example, introduced luxury and debauchery. It was thus only to be expected that the greater number in the succession of these "Princes of the Faith," should consist of voluptuaries and tyrants. But the contempt, which as heads of religion the Caliphs incurred, could not fail to affect their political power, so closely connected as it was with their religious dignity, to augment the evil of schisms and heresies, and, in conjunction with the ambition of provincial governors, to bring about the dismemberment of the great empire. In the Christian Church, the shade which the vices and transgressions of some few Pontiffs have cast upon the Papacy, has inflicted an almost incalculable mischief on the Church, and operated as one of the primary causes of the great schism of the sixteenth century. But what in Christendom was a rare exception, was the rule in Islam. The greater part of the Caliphs were a set of demoralized, blood-stained despots; and, if the moral virtues required by this religion of its professors were not so insignificant in comparison with the standard of Christian ethics, the shocking contrast which the vices of the rulers at Bagdad formed with the spiritual and temporal dignity of Head of the Faithful, would have early dissevered the bonds that united the Caliphs with the people, and occasioned a general dissolution of this order of things.

"A tradition stated by Siati, shows what view was entertained of the personal worth of the Caliphs. According to this, there were but

five just Caliphs, Abuleker, Oman, Osman, Ali and Abdelassis. The first of the Ommiades, Moawiah, was accused of introducing into Islam heathenish practices. His son, Jezid, as an avowed unbeliever, who passed his days and nights in brutal debauchery, and totally neglected the public duties of religion, was, by the inhabitants of Medina, declared unworthy of the Imamat.*

After citing several other instances of the wickedness and untimely fate of the Caliphs of the house of Ommigah, our author proceeds.

“The dominion of the Abbasides rested on a firmer basis; but their predecessors, by neglecting the public prayer of the Mosque, by want of discipline, and the suspicion of unbelief, had already weakened the religious authority of the Caliphate; while the voluptuous life at the court of Bagdad, the ever increasing refinements of luxury and sensual gratification; and moreover, the countenance afforded to heretical doctrines by some Caliphs of this house, all tended completely to dispel the halo of spiritual dignity and sanctity, which should have invested the head of the representative of the Prophet, and the shadow of God on earth.”—pp. 134-5.

Dr. Döllinger concludes his learned and valuable treatise with some consoling remarks on the future prospects of Islam. He cites several remarkable prophecies widely diffused and firmly credited among the disciples of the Koran, to the effect that their empire and religion will one day be overthrown by the “yellow-haired sons of the North.” The very belief in such prophecies is likely to contribute towards their realization. The stern fanaticism of the Moslems has in several countries been gradually relaxing; the pride which victory had inspired, has long since been humbled, and in room of that bigotted attachment to national customs, which formerly distinguished them, we discern a disposition to ape the manners and fashions of Europeans. A large proportion of Mohammedans obey the sceptre of Christian princes: many of the Mohammedan states are under the influence of Christian powers; while a more extended intercourse with Europeans is gradually familiarizing their subjects with the arts and sciences of civilized life. With the extinction of nationality—with the loss of political power, the influence of the Mohammedan religion must inevitably decline; for, as Islam was propagated by the sword, so she will perish when the sword is wrested from her hands.

The evident decline of the Mohammedan faith, and the corresponding decay of Mohammedan power in the East, are

* Price's “Mohammedan History,” vol. 1, p. 414.

not the only moral and political phenomena, which render the present age one of the most eventful in the history of mankind. The state of judaism presents to the eye of the observer the same internal dissolution. While the synagogue is violently agitated by religious factions; while one party clings with blind predilection to the ancient Pharisaism, and another has pushed its licentiousness of doctrine even beyond Sadduceeism, there are not a few who entertain a secret inclination towards Christianity. In proof of this assertion, we may allege the extraordinary number of conversions from Judaism to the Catholic Church, which have occurred within the last twenty-five years—conversions, that, both as regards the number and quality of the proselytes, surpass those of the three preceding centuries.

If we next look to the heathen world, we shall there observe that the hand of Providence is slowly preparing mighty changes. The great empire of India has been given up to British rule, in order, apparently, by habituating the Hindoos to an intercourse with Europeans, by relaxing among the former the fetters of ancient prejudice and ancient habit, by revealing to them the many advantages of Christian civilization,—as also, by familiarizing Europeans themselves with the language, literature, religion and manners of this people,—to prepare the way for a general and successful introduction of Christianity in that country. The abortive attempts of the Protestant Missionaries to convert the natives of Hindostan, however injurious such attempts must at present prove to the cause of Christianity, may ultimately, by the shock they have given to national prejudices, be made available to the successful promulgation of the Catholic faith. In China, too, surrounded as it is by the possessions of two Christian powers, Russia and Great Britain, the ever-increasing activity of commercial intercourse now carried on between that country and the states of Europe, affords facilities for the endeavours of Christian missionaries to fan and cherish the sacred flame, which the zeal of a Xavier had once enkindled in that region.

If now, from a contemplation of the religious state and prospects of Mohammedanism, Judaism and Heathenism, we turn our eye to Christendom itself, we shall there behold the hand of an all-wise and all-gracious Providence still more actively at work. If the events occurring in the East, show that the Almighty is there by degrees preparing the soil for the reception of the seeds of the Gospel, there is in Europe a moral and intellectual regeneration, slowly, but steadily going on, which

will enable it at no distant period to accomplish this great oriental mission. The extraordinary spread of the Catholic faith in some Protestant countries—the growing good-will towards the Catholic Church, manifested in the language and conduct of many members of the Protestant community—the wonderful energy which the Church in France daily displays, outlasting so many vicissitudes, resisting the shock of so many tempests, and striking its roots ever wider and deeper in that soil, agitated by fifty years' commotion: the noble spring, which, in several states of the continent, Catholic science and literature have taken; and lastly, in despite of the persecutions which yet afflict the Church in some of the southern countries, the gradual revival of zeal and piety among all orders of Catholics;—these are signs of the times, which point to a better futurity, and serve, amid the disasters that befall religion, to sustain our courage and animate our hopes. And how should not that age be termed, in a religious point of view, most momentous and eventful, which has beheld Christian Greece born again out of the womb of time;—Catholic Ireland, waking from the sleep of ages, and bursting her fetters in the pride of her strength;—Belgium, in an age of licentiousness and anarchy, setting the example of an orderly and conservative revolution, achieved to vindicate the spiritual independence of her Church, and rescue her people from the thralldom of a crafty, irreligious, demoralizing tyranny;—Poland, falling a martyr in defence of her religion, her liberties, and national independence, more glorious in her fall than other nations in their victory? These, we repeat, are signs of the times, which point to the ultimate moral redemption of society—a redemption, the hope whereof, like the holy Patriarch Job, “we keep locked up in our bosoms.”

ART. V.—1. *The Normans in Sicily; being a Sequel to “An Architectural Tour in Normandy,”* by Henry Gally Knight, Esq., M.P. London, 1838.

2. *Del Duomo di Monreale e di altre Chiese Siculo-Normanne, Ragionamenti Tre.* Par Domenico lo Faso Pietra Santa Duca di Serradifalco, Palermo 1838, (of the Church of Monreale and the other Siculo-Norman Churches.)

THERE is at present in the learned world, a great eagerness to increase the available sources of historical information. Almost in every country in Europe, societies have

been formed for the purpose of publishing historical documents; and France and Germany, and even the provinces, have their individual societies, which compete with one another, in collecting and printing the old documents, chronicles, and charters of their country. Thus materials for the historian are immensely increased; new facts are discovered, and those already well known, receive fresh light, or are more completely authenticated. Even our Commission of Records, in spite of many mistakes in the conduct of their affairs, has produced by its works very important results for the history of England; and these results would have been still more valuable, if the collections to be found in the libraries and archives of foreigners, especially those of Rome, were not always, we know not for what reason, kept under lock and key. But, besides libraries and archives, there is another source of wealth for the history of England, by which our writers have not sufficiently profited—we mean a comparative study of the institutions and manners of other nations with whom we claim affinity, and of the arguments which may be deduced from them by analogy for the profit of history in general. It is thus, that in natural history, we investigate the nature of any individual animal, by the comparison of other individuals of the same species,—thus we are enabled to replace the scattered, or even to restore, the defective limbs of beings with which we are unacquainted, by studying the comparative anatomy of animals of the same organization. We may advantageously follow a similar process with respect to the history of people and states: nevertheless, the English historians have, beyond all others, neglected this study, and it is only of late that we have begun to treat of the history of our Anglo-Saxon ancestors, with a reference to that of other empires founded by the Germanic people at the same period and under the same circumstances. An author who should now write of those times, would be able to throw light upon many passages which have hitherto remained detached and isolated; and to fill up many a vacuum, not with mere conjectures, but by combinations founded upon analogy. Such a comparative study of history becomes more important in proportion to the nearness of our affinity with other nations. And this brings us at once to the second epoch of our history, the conquest of England by the Normans. The expeditions and conquests of this people, form an epoch, not only for us, but for all the west and south of Europe, with the exception of Spain. The nations on the continent had suffered from the weakness of

Charlemagne's successors, and the incursions of the Norman and Slavonian tribes; England was ruined by the invasion of the Danes and by the weakness of her princes; and so great were the evils effected by these causes, that all these countries required a complete regeneration, of which the Normans were the instruments in the hand of God. In France, the invasions of the Normans tended to create the great dukedoms and counties which were formed for the purposes of self-defence; while to the west of France, there arose at the same time, that powerful principality which exercised so much influence over the future fortunes of the country; and upon these two facts, the history of France may be said to have mainly turned during the ensuing period of the middle age. Germany was not so accessible to the incursions of the Normans, and its inhabitants resisted their attacks with occasional success; nevertheless, their expeditions into the north-west of Germany, and those of the Hungarians and Slavonians in the east, produced at last nearly the same results as in France. In two countries, England and the south of Italy, the character of the nation was changed, and the ascendancy of the people lost in that of their Norman conquerors. England, after the expulsion of the Danes, had fallen into such a state of weakness, that had the Anglo-Saxons been left to their own resources, they would probably not for centuries have attained such strength, as was displayed by the Norman princes immediately after the conquest. The state of Sicily and southern Italy, was still more unhappy. The island had never numbered a Haroun al Raschid, or an Abderrhaman, amongst its rulers; and at the commencement of the eleventh century, we find it an example of the worst description of Saracen government: civil wars raged amongst the Emirs, who had rendered themselves independent of their rulers in Africa; and the native inhabitants, who had been completely Latinized by the Romans, suffered the most cruel oppression, without security for their lives or property, except in the case of some Greeks in the maritime towns of the eastern coast, whose situation was somewhat less dreadful. In lower Italy, the principalities of Salerno, Bénévento, Capua and Naples, had lost all moral and physical strength; with the morals of the Byzantines, they had received their weakness also. The Byzantines still possessed some provinces in this country, and had even about this time made an effort to extend their dominion, but their temporary success was but a new source of vexation to the harassed country; the Byzantine Greeks could not originate a vigorous, political and intellectual life;

for in themselves the spirit had long been dead, although the body continued to vegetate. The establishment of the Normans in Sicily began in the same manner as that of the Germans, who served as mercenary soldiers, the same emperors that at a later period they expelled from their thrones. The Norman knight Drogon, and his forty companions, acquired a just renown for their intrepidity. Passing through Salerno, on their return from Palestine, they defended this town against the Saracens who attacked it, and conquered an army, before which a powerful principality had trembled (in 1003). The Normans were entreated to return, and before long, bands of valiant adventurers came to engage themselves under the princes of Capua, Salerno, Naples, the Abbot of Monte Cassino, &c. They served at first for pay and booty, but in 1021, the Duke of Naples, in reward for their services, bestowed on them the town of Aversa, near Naples, which, with its district, formed the first Norman county; another band of Normans, headed by the three sons of Tancred d'Hauteville, a Norman baron, from the diocese of Coutances, engaged themselves at the court of Salerno; and when in 1038, Manaces, the Byzantine General in Apulia, was endeavouring to drive the Saracens from Sicily, these Normans joined his army, and it was principally by their assistance that he became victorious over the Mussulmen. When, however, they found themselves treated with the well-known perfidy of the Byzantines, and their services left unrewarded and unhonoured, they secretly quitted the Byzantine army, passed the Straits of Messina, and seized the important towns of Melfi, Venosa, Labello, Ascoli, &c. in Apulia, and there, after having defeated the Byzantines in several battles, they founded a second Norman county.

William Brasdefer, son of Tancred d'Hauteville, was elected their chief on account of his superior bravery (1043). His brothers and successors, Doogo Humphrey and Robert Guiscard, extended their conquests over the Greeks and the other princes of Southern Italy, until, during the reign of the latter, almost the whole of lower Italy fell under the Norman dominion. At the same time, Roger, another of the twelve sons of Tancred d'Hauteville, was fighting the Saracens in Sicily, and after a war of more than ten years, the Norman dominion was completely established in that island by the conquest of Palermo in 1072, the other towns soon following the fate of the capital. At a later period, Robert Guiscard, not only forced the Emperor Henry IV to retreat before him,

when he delivered pope Gregory VII at Rome, but he carried his victorious arms even into the Byzantine empire. When he died at the siege of Cefalonia in 1085, the empire of the Normans on the continent of Italy, was weakened for the time, by the rebellions of the nobles, and by expeditions into the East; but the prosperity of Sicily became more and more flourishing under Count Roger, to whose share it had fallen; and his son, Roger II, succeeded in reuniting the Italian possessions to his county, and took the title of king in 1130. He was then one of the most powerful princes of Europe, he resisted the German Emperor Lothario, and his name was feared in every country within his reach by land or sea. In wealth and luxury, his court rivalled those of the Emperor of Constantinople, and the Arabian Caliphs, compared with which, all the princes of the west seemed poor and barbarous. The flourishing state of this island continued in spite of some vicissitudes, until its occupation by the princes of the house of Anjou.

The distinguishing characteristics of the Normans in Italy, as every where else, are invincible bravery, and great subtlety and acuteness of mind. In respect to military valour, they have never been equalled, except by the first Spanish and Portuguese conquerors of America, or the Indies; and many of the exploits of Count Roger I, were re-acted by Cortes, Albuquerque and Almeidas. The Normans possessed an acuteness of intellect far superior to that of their German predecessors, in the great migration of races. In war, they succeeded almost as much by address, as by valour,—and this address was still more remarkable in their political conduct. At the commencement of their career, they profited so well by the enmities amongst the Italian princes, that they became absolutely indispensable to them; but when they had acquired possessions, they sought, above all things, to establish other rights than those which they derived from their swords; and after receiving the investiture from the Emperor Henry III, they several times acknowledged that they held their possessions as fiefs of the Roman Church, even after gaining brilliant victories over the Papal arms. This suzerainty of the popes over these countries, which has given rise to so many disputes, was founded in part upon their position as the general arbiters of Christendom, which was then universally recognized; and in part upon the fact, that the inhabitants of these countries, when forsaken by the Byzantines, and oppressed by the Normans, had thrown themselves upon the popes for protection. Other legal reasons were deduced from the different

donations made by the emperors to the Roman Church, of the truth and validity of which no suspicion was then entertained. And there is no doubt, that in the hand of Providence, the connexion between the Norman empire and the Holy See, became frequently a means of protecting the independence of the Church against the great preponderance of the emperors. Finally, and we mention this as one of the most remarkable proofs of the wisdom of the Normans; they were never induced by the nature of the origin of their establishment, to scatter themselves into separate bands, but feeling the necessity of fixed and stable institutions, they lost no time in introducing them.

After their first conquests in Apulia, they formed a sort of military aristocracy; twelve chiefs of their little army were named counts of different towns, which were respectively allotted to them, and the eldest son of Tancred d'Hauteville, retained for several years the direction of affairs in general, being only *primus inter pares*, by the consent of his companions in arms. Their capital and point of union was Melfi, where all the twelve counts had private palaces. As the wealth and power of the first count received a greater proportional increase from their continual conquests, this circumstance, joined to the valour and remarkable talent of the sons of Tancred, who succeeded one another, soon raised the *primus inter pares* into a sovereign, according to the sense of the middle ages; and Robert Guiscard, in 1059, had already prevailed upon the pope to give him the title of duke. The chief had the disposal of the greater part of the conquests, which he bestowed as fiefs upon his relations and his warriors; but this feudal constitution was only regulated by the customs of the time and the wants of the present moment. The necessity of remaining united in the presence of external enemies, and the power of the first princes, acted instead of a more regular government; and it was not until peace without, and rebellion at home, amongst the barons of Apulia, had proved the necessity of more settled institutions, that king Roger published a series of laws, embracing every department of the state. Such a measure was the more needful, both because there had not (as in the case of William the Conqueror, and his Normans), existed any prior bond of submission and obedience between the sons of Tancred and their companions, and on account of the great differences of origin, rights, and religion, amongst the native inhabitants. No complete collection of the laws of king Robert has been preserved, but many of them were at a later period engrafted

into the code of Frederic II, and the charters and letters of the time, furnish us with other materials for their investigation. We shall, however, confine our attention to Sicily, which formed the centre of the Norman empire, and where their institutions existed in a state of greater purity and freedom from foreign intermixture than elsewhere.* The predominant institution was the feudal hierarchy, and of this the tenants in chief formed the first class; who held their possessions directly from the king, and did him homage for them. To determine this service, the rent fixed upon in Sicily was twenty ounces of gold, as in England £20, and for every rent received by a vassal of the crown, he was bound to furnish an armed knight with two followers for the king's service, for three months; and when the period was prolonged, the lord was obliged to pay and maintain him. The vassal might, with the consent of his lord, provide a substitute, or pay the half of the rent in money; likewise the vassals were obliged to appear at the court of the king on great occasions, such as his coronation; his eldest son being dubbed knight, &c., and generally when the king convoked his parliament. Nevertheless, the mere knights (for there were amongst the nobility knights, barons, and counts), were permitted to absent themselves on account of the heavy expense.

We do not find that in Sicily the nobility were accustomed to form regular meetings on the three principal festivals of the Christian year, as was the case in England. Besides these personal services, there were four cases "recognized," in which the vassal was bound to afford aid in money to his lord; when a new heir entered upon the fief, he paid to the lord a sum of money call a relief, "relevium," also when the lord raised his eldest son to the rank of knighthood, when he married his eldest daughter, and when he was made prisoner for his ransom. The king, however, had always the power to diminish these aids, and in the case of many royal donations, especially to the Church, exceptions were made of them. In these, King Roger made an important change, for up to his time the clergy had been exempt from rendering military service, but he

* The history of the Laws of Sicily has been admirably discussed by the Canon, Rosario di Gregorio, (who died in 1809), Professor at the University of Palermo, who, in his works, "*Introduzione allo studio dello Dritto publico Siciliano*," and "*Considerazioni sopra la Storia di Sicilia*," and "*Discorsi intorno alla Sicilia*," far surpasses in science and critical acumen, the modern histories of Italy. The works we have mentioned, are even in Italy less known, than the collections published by the same author from the Arabian historians, and the histories of the reigns of the kings of the house of Arragon.

obliged them to provide it, when they had no peculiar grounds of exemption. The fiefs were hereditary—yet the new possessor was obliged to repeat the act of homage, and pay the “relief” already mentioned, as an acknowledgment that he held it by the will of his lord; and this act of homage he repeated when the “fief” was encreased, or when the owner had built upon it a fortress. No one was allowed to sell his “fiefs,” in order that they might be maintained entire, and that the feudal superiority of the king might be kept in view.

The king had the right of appointing an administrator over the estate, during the minority of the heir, and of marrying the heiresses. Every duty owed by the tenants in chief to the king was paid in their turn by the inferior vassals to their lords; but their vows of fidelity were not to prejudice the king’s prior right to their obedience; and consequently the king’s prerogative as suzerain was more distinctly recognized in Sicily than in any other country. But Roger was not satisfied with this; he created other institutions tending to augment the royal authority, and to oppose to the feudal nobility, another force, by which, at length, it was overpowered. We allude to the king’s appointed officers. Throughout all the other European States, the executive power was, at this time, in the hands of the nobility, and the counts and barons not only owned the land from which they derived their titles, they were also lawgivers, and the judges, both over their own vassals, and all other inhabitants. *Count* Roger had already interfered with this power, and created royal magistrates, for the execution of criminal and civil justice, and for the administration of the revenue. These were called “stratigoti” and “viscomites.” *King* Roger improved this institution—he retained these local magistrates, merely changing their names, from “viscounts” to *cajuli* (bailiffs). He created also superior officers, having the superintendence of a whole province (*justitarii provinciæ*) and “camerarii,” who administered justice, and had the management of the revenue. Each of these officers had his allotted duty marked out to him, and must not, therefore, be confounded with the provincial judges of our William, who resembled the *missi regii* of the people of Germany. The supreme tribunal was the high court of justice, over which the chief justice presided. Even the nobles, although tried themselves by their peers, could not escape the influence of these royal courts; and in the courts of justice, which, in their turn, they held upon their vassals, the royal officers were the assessors. The government was finally con-

centrated in the hands of the king, who had the assistance of his council, composed of the seven great officers of state—namely, the high constable, the high-admiral, the lord chancellor, the chief justice, the prothonotary, the high chamberlain, who was at the head of the finances of the kingdom, and the seneschal; besides whom the king had the power of summoning to his aid whatever councillors he pleased, ordinary or extraordinary. The nobility were all Normans, and in their hands was lodged all power, both in the State and Church; yet persons of other nations were not excluded; and king Roger, who wished to secure the services of men of talent, whatever might be their country, or their previous rank,* frequently raised the natives of the country—of Greek or Latin extraction, to the highest functions of the state, such as those of high-admiral, high-chancellor, prothonotary, and other posts of eminence in the department of finance, and in the court, where Saracens, and even eunuchs, often obtained great influence. We will mention, as an example, that Majon, the son of an oil-merchant, at Bari, was high-chancellor during the reign of Roger, and high-admiral under that of William I, and possessed such authority, that he signed himself in all documents, “Majo, divina et regia gratia, Amiratus amiratorum;” a magnificent title, to which even our greatest naval heroes have been far from aspiring. The mass of inhabitants was composed of Latins, Greeks, Saracens, and Jews, and they formed the wide basis of the royal power. Of these the Christians had received the conquerors with joy, and given them all the assistance in their power; they were left in the possession of their estates, which thenceforward resembled the allodia of the German states. The Norman kings were liberators to them, and had not to guard against rebellion, on their part, as was the case with William the Conqueror, who, during his whole reign, found the Anglo-Saxons his natural enemies. Even the Saracens found full protection for their religion and customs; the conditions of their submission were strictly fulfilled, and the Normans did not attempt to amalgamate these different nations into one people; to each race justice was administered according to their own laws; Norman, Roman, and Arabian laws were all admitted in Sicily, and we find that all these languages were preserved in the judicial records, although that spoken by the court was French. In respect to civil

* Hugo Falcand (Muratori, vii. 260,) “Quoscunque viros aut consiliis utiles aut bello claros compererat, cumulatis eos ad virtutem beneficiis invitabat. Transalpinos maxime—plurimum diligendos elegerat et propensius honorandos.”

rights the people were divided into three different classes,—that of the serfs, or “*glebæ adscripti*,”—that of the peasants “*rustici*” who had no property, but were perfectly free, and lived by their labour; and that of the proprietors and inhabitants of towns “*burgenses*.” None of these had any political rights, or were at all represented in the general assemblies; they were restricted to the administration of their municipal affairs. From them the king derived his chief revenues, by means of indirect taxes, as upon the customs, salt, &c., and also by direct contributions of money, vessels, soldiers, and sailors. To the general subsidies bestowed by the nobles in their assemblies, the vassals of the barons contributed their proportion as well as the free inhabitants. The details of this financial constitution were modeled upon the Saracen and Byzantine systems; and answering to our Domesday Book in England, there was in Sicily the “*Deptarii*,” or “*Defetarii*,” from the Arab word “*deptars drigistre*,” in which was an exact description of all possessions, with the number of inhabitants,—the fiscal duties, and all particulars of the revenue and taxes.* The basis of all these institutions so much resembles those of our William the Conqueror, that even the learned Italians, who seek to vindicate their country, are obliged to own that the legislation of Roger not only bore the general character of his nation and of his times, but that some things were directly transplanted by him into his new empire. Moreover, we are told by a contemporary writer, Hugo Falcand, “that king Roger caused diligent enquiry to be made into the customs of other countries, that he might turn to his own use whatever he considered useful and good.”†

A comparison between the respective institutions of England and Sicily, would give us many interesting details of some of our own institutions, of which we retain but slight vestiges, for want of that information which abounds in Sicily, and *vice versâ*. We have not space here to give examples; as we might do for instance from the administration of justice, which would be well worth a separate consideration. We choose rather to touch upon another point of comparison between the two countries; we allude to the state of art amongst the Normans, which forms the principal subject of the works we have placed at the head of our article. Mr. Gally Knight, the author of the first, is already well known to most of our readers by his travels in Normandy, in which he compares art,

* Hugo Falcand; Muratori, vii. 293.

† Hugo Falcand; Muratori, vii. 260.

and principally architecture, in that country, and in England. The present work is a continuation of the former, and the author, as he says himself, was desirous of completing the survey of the works of the Normans, by giving some account of their operations in the third scene of their conquest and dominion, the island of Sicily. The plan of this book is the same as that of the former; after a short chronological review of the chief facts of the political history of the Normans in Italy, he gives us a journal of his travels in the island, dating from the 23rd August to the 2nd October, 1836, and combining the narrative of his adventures with a description of the monuments of the country. Setting out from Messina, he goes from thence by sea to Syracuse, returns by Catania and the country to the west and north of *Ætna*, Paterno, Bronte, Maniace, Randazzo, Taormina, and after a short excursion on the neighbouring coasts of Calabria, he goes from Messina by Cefalù to Palermo, which by the multitude and importance of its monuments, occupies the larger portion of the work.

Thus the author embraces in his plan only the eastern and northern coasts of the island, which, from the first Arabian invasion, have been highest in importance: the principal monuments of antiquity at Girgenti, Selinunte, and Segeste, are beyond this line, and although this part was equally well cultivated during the middle ages, there are yet but few monuments of that period; and even those, as the tower of the cathedral, and the military hospital at Girgenti, two fronts of the church at Sciacca, the castle of Alcamo, and the remains of buildings of the middle ages at Trapani, and Monte San Giuliano, are not of any great importance. Neither are there in the places visited by our author, any considerable quantity of the remains of that immense number of convents and castles, which kings, barons, and prelates, had rivalled each other in constructing, with the exception, however, of Cefalù, Palermo and Monreale. Many monuments have been destroyed by the convulsions of nature, to which this country is peculiarly liable; still more have been ruined by the devastations of civil war, or by modern embellishment, and chiefly in Messina, the second town in the island, after Palermo. Still, the monuments which are left to us in the three places which we have excepted, are sufficient to show the distinctive character of Norman art in Sicily. The Normans found in England a people of a race allied to them, and so nearly on a par with themselves in civilization, that the two races easily amalgamated and created a style of art peculiar to

themselves, and intimately connected with their habits and religious feelings. But in Sicily, the Normans found Latins, Byzantines and Saracens, the one more foreign to them than the other; and in a state of civilization so different, and in general so far beyond their own, that they naturally yielded to them, and the national talent was seldom employed by the kings, nobles and prelates, who were themselves for the most part warlike. When the general plan was laid down, the execution was most frequently Byzantine or Arabian. Let us take as examples the three most remarkable churches of Palermo and Monreale—S. Maria dell' Amiraglio, or La Martorana, La Capella Palatina, and the church of Monreale. The first edifice is a faithful model of the Byzantine style; it has the form of the Greek cross, the walls resting upon pointed arches, above the columns, with a cupola in the midst, which again rests upon a square, in the angles of the four sides of which, there is a curious process of *corbelling*, to render more easy the transition from the square into the circle of the cupola; the interior is covered with mosaics; the external walls are ornamented by a Greek inscription running around them, and forming a frieze. In this church, which was built for the Greeks by a Greek architect, between 1130 and 1143, there is an amalgamation of the Byzantine and Arabian styles: the pointed arches, the way of basing the cupola upon a square, the exterior inscription forming a frieze, are to be found in the Saracenic edifices; the form of the church and the mosaics are altogether Byzantine. The Capella Palatina was built by king Roger, consecrated in 1140, and intended for the Latin form of worship of the royal house; it forms the Latin cross, but the arches, the cupola, and the mosaics, are exactly similar to those of La Martorana. The cieling of the naves is not vaulted, but of wood, and that of the principal nave is entirely Arabian, and “fashioned and ornamented in that Saracenic manner, which, in the description of Arabian buildings, is commonly called by architects, the honeycomb ornament. The centre is composed of a series of large roses or stars, with pendants between each, and on the edges of these compartments, are inscriptions in Cuphic characters, associating Mahomedan recollections with a Christian temple, (Knight, p. 242, 271.) The church of Monreale, built in 1174, is by far the most magnificent building of the Normans, and approaches nearest to the style of the Latin basilica, in spite of the pointed arch above the columns and the Byzantine mosaics; but it wants the cupola; and instead of cieling, the construction of the roof

is visible; the beams of which are painted in patterns and gilded like some of the ancient basilicas of Rome. It appears, therefore, that with the exception of the general plan of the Latin churches, the Normans introduced into their edifices but little of their own peculiar style, which is chiefly recognized by some ornaments which were not known in Italy before their dominion. "These were grotesque heads amongst the foliage of capitals, or under the eaves, the billet-moulding, the dog-tooth moulding, and their favourite cheveron or zig-zag. The designs for these ornaments were probably supplied by the Norman prelates, or the ecclesiastics in their train, at a time when numbers of them were invited from France into Sicily, and when bishops and monks were frequently architects." (Knight, p. 341.) Even of these, we should be tempted to call in question the grotesque capitals, which we think we have seen upon Lombard churches of an older date; we have, without hesitation, called the mosaics, Byzantine; for if it is remembered what was the state of Italian art at this time, and what the reputation of Byzantium—the Athens of the middle ages; and if we examine attentively the representations upon the mosaics at Palermo, Cefalù, and Monreale, which have all a Byzantine character, we shall have little doubt that the Normans brought artists from Byzantium. Mr. Knight urges, that it is more easy to suppose such an influence being exercised directly, than through the medium of the Sicilian Greeks.

"It is not only," says he, "that in the mosaics of the Norman churches of Palermo, the outline, the grouping, the drapery of the figures, give evidence of something more than a mere tyro's hand; that the feeling with which the subjects are treated, implies a certain advance of art; but the whole character and the costume of these mosaics, is decidedly Byzantine; and not only Byzantine, but in the representation of the sacred personages, bearing marks of the minute regulations insisted upon by the Greek Church. Each saint was always to be depicted in exactly the same manner, and the name of the saint was to be annexed in Greek letters, that the thoughts of the votary might never be misled."—*Knight*, p. 338.

But we would not on this account deny that the multitude of works of art, which the Normans caused to be erected, tended to form a Byzantine school of art, that became in some degree national and approached more nearly to the Norman style. The church of Monreale shows considerable progress in this style. In the Martorana, all, and in the Capella Palatina, a great part, of the inscriptions on the pictures are in Greek; at Monreale, they are almost all in Latin. There are

besides, many saints who are venerated exclusively in the Latin Church, and amongst them it has escaped the observation of Mr. Knight, that there is one peculiarly Norman English, viz., St. Thomas of Canterbury, (SCS THOMAS CANTVR.), holds an honourable post in the great abside, between Pope St. Sylvester and St. Lawrence. It is certainly the oldest image of the holy bishop, if we consider that he was martyred in 1171, and canonized in 1173; the fact is curious, even without taking into consideration the resemblance of the countenance. Still, art was a thing imported and exotic for the Normans in Sicily; their love of magnificence and their great wealth, prompted and enabled them to set in motion, Byzantine or Arabian talent; and certainly, the church of Monreale may be compared with any church on earth, for the magnificence of its interior, and the sublimity of the first impression it creates; but they did not convert this excellence of art, this style, into *succum et sanguinem*, if we may use the expression; they did not themselves become artists as in England, nor did they naturalize foreign art in their own minds; and it was in consequence of this, that art remained so long stationary, without receiving any new development.

“The pointed style,” says Mr. Knight, “in Sicily, remained much as it was in the beginning; much as it was in France, on its first introduction; a sufficient proof, that in Sicily, at least, the pointed arch was adopted with no scientific object and without any reference to the vertical principle.”—p. 342.

And, when at last, we find progress in Sicilian art, that also is imported; as for instance, the true style of the pointed arch, which we meet with in buildings of the end of the fourteenth, the fifteenth, and the beginning of the sixteenth century, but which never attains in Sicily to that purity and elevation, which we find in northern nations. In the mosaics of the Cathedral of Messina, (built towards 1322), may be clearly traced the influence and perhaps the work of the Florentines; and upon the tomb of the archbishop, who enriched the cathedral with these paintings, is an inscription by a master from Siena. Towards the middle of the sixteenth century, the Italian style of art, after its revival, was by degrees introduced; the Sicilian churches greatly surpassed those of Rome and Naples in the richness of their materials, gold, marble, and mosaics; and this style, of which a perfect model has remained in St. Peter's at Rome, fell by degrees into great degeneracy. On the continent of Italy, Norman art, followed much the same road, but it had started from a different point; as these

provinces had been free from the influence of the Arabians, and closely united with Byzantium. The Normans also retained the Byzantine style; and in the buildings of Troja, Taggia, Venosa, Cenosa, &c., we find the round arch, instead of the pointed Arabian arch, to be in use. We regret that Mr. Knight should not have rendered his review of Norman art more complete, by comprehending in it the edifices of Apulia, which are but little known. Upon the whole, however, we consider that the public are greatly obliged to Mr. Knight, as the first of our countrymen who has directed public attention to the monuments of a people so nearly allied to us, and in a country so frequently visited by our travellers. His book will serve as a guide to those who make a particular study of art: and though it does not comprehend, systematically, all that is to be seen in the countries described, yet it has this advantage, that the author has everywhere seen what he writes about; which is more satisfactory than those so-called complete descriptions, of which the authors have seldom seen the half of what they describe. There are, however, inaccuracies in the present work, of which we shall proceed to notice some instances. At page 141, after having described the promenade upon the Anapus, to the place where the plants of the papyrus grow, he says, "By the treachery of our guide and the idleness of our boatmen, we were defrauded of a sight of the pellucid fount of Cigane, and the remnants of the temple of Jupiter, both of which are situated a few furlongs higher up than we were permitted to go. The remnants of the temple, however, are comprised in the two colossal Doric shafts, which we had seen from a distance." We will not enter upon a discussion respecting the pellucidity of the fountain, which, in fact, resembles a pond covered with water-plants; but as for the temple, it stands near the mouth of the river, in the port of Syracuse, situated on a little hill; and the first papyrus plants are found about two Italian miles higher up; consequently Mr. Knight, in going and coming from the papyrus plants, must have passed immediately beside the temple. At p. 181 the author calls the theatre of Taormina a Greek theatre:—this is a common, but nevertheless an unquestionable error, for the edifice was certainly built during the times of Roman dominion, and its arrangement is, in all respects, that of a Roman theatre exactly described by Vitruvius. The theatre at Catania has exactly the same characteristics; and it is only at Syracuse and Segeste that the really Greek theatre is to be met with. Much less excusable is the author's inexactness concerning the tombs in the cathedral of

Palermo. He says,—“The most remarkable treasures of the interior of the cathedral, are the genuine tombs of the Norman kings. These stand in a large side-chapel, apart by themselves. They are four in number, and in design are exactly alike; *each is a large sarcophagus on a pedestal, under a marble roof, supported by four pillars.* Two of the tombs are composed of white marble, inlaid with mosaics. Two are entirely of porphyry, plain, but of large dimensions and good designs.”—p. 251. Now, in fact, the four *sarcophagi* of Roger, his daughter Constantia, and the emperors Henry VI and Frederick II, are of porphyry; but the columns, the architrave, and the roof of the two first, are of white marble, inlaid with mosaics; and of the two others, all these parts are of porphyry, like the sarcophagi. At p. 288 we find it stated that the capital on which is the interesting representation of the king who founded Monreale, presenting the architect to the holy Virgin, is to be seen in the church,—whereas it is amongst the little capitals of the cloister. And again, p. 290, speaking of the same church, the author says that “the roof of the church is of wood, painted in patterns, and gilt,” omitting what might here have been appropriately introduced, that this roof was entirely burnt down in 1811, and has been since restored in imitation of the antique, but with the addition of some modern ornaments. The second gate of bronze at Monreale, as old as the foundation of the church, and bearing the inscription of their fabricator, “Barisanus Tran (ensis) me fecit,” would also have deserved notice. It would have been a desirable improvement to the work if the author had added to his description of these monuments a little historical science, and given us at least the most remarkable inscriptions, with some notice of the authors or documents in which they are mentioned. Some short account of the institutions of the Normans, their character, and habits of life, particularly those of the court, would have thrown much light upon the state of art. The author felt that something of the kind was wanted when he gave us (pp. 1-100) an introductory historical notice, which, however, is only a narration of mere political facts, without any allusion to the other points we have mentioned; and even here we find inaccuracies. When, for instance, at p. 11, he speaks of the relations between Pope Leo IX and the Normans, he says,—“Leo IX had been persuaded to behold in the Normans a power dangerous to the interests of the papal see. Under these impressions, he, like his predecessors, had recourse to the emperors of the west, and obtained from

Henry III the assistance of an army, which the pope undertook to command in person." In support of his first sentence he cites the History of Gaufridus Malaterra (tom. 14); but the statement there is only that the inhabitants of Apulia entreated the pope to succour their country, which belonged to the Holy See. The oppression of the inhabitants, and the disputes respecting the Duchy of Benevento, were the true causes of the pope's making war. As for the imperial army, it is true that Henry III had promised the pope some German troops, but the Chancellor-bishop of Eichstædt prevailed with him to retract his promise, and the pope was only accompanied by some German volunteers, whose number varied between three hundred and seven hundred, and who were all left dead upon the field, when the Italians in the Papal army fled at the first attack! The best accounts of the early exploits of the Normans are to be found in a contemporary chronicle, of which only an old French translation has reached us, published by M. Champollion-Figeac, under the title of *Ystoire de li Normants, par Aimé, moine de Mont Cassin*, Paris, 1835. Mr. Knight has not discovered this source of information; his other references are to Herrmann, *Contract Chron.* an. 1053; Guillelm, *Apul.* lib. ii. p. 260, ed. Muratori; *Chron. Cassenens*, ii. 84. It appears to us also that the relations between Gregory VII and Robert Guiscard are not very exactly stated; but as these facts are foreign to the principal subject of our article, we shall merely comment upon the way in which the author, p. 109, speaks of the Saracen colony, at Nocera, in Apulia. "His (Frederick's) most singular foundation was at Nocera, in Apulia. Having witnessed the courage and *experienced the fidelity* of the Saracens of Sicily, in his various wars, he removed 20,000 of these Mahomedans to Nocera." On the contrary, the greater part of the Saracens in Sicily were in rebellion, from the minority of Frederick, and it was to render them less dangerous, that the emperor, after having subdued them, transported them to Apulia, where they could not combine with their countrymen, nor seek refuge in the mountains, but where dwelling in a wide plain, surrounded by Christian inhabitants, they became the most faithful allies of the Suevic family, against the pope and his partizans, and kept that fidelity inviolable, till their extinction under the kings of the house of Anjou.*

* "Richard de S. Germano, Chronicon," ed. Muratori, Script. vii. 996. Nicolai de Jornsilla Hist. *ibid.* viii. 491.

The date of Frederick's death, 1243 (p. 104), is another slip of the pen, for it occurred the 13th of December, 1250.

We think we have, in the preceding remarks, paid due attention to the work of our countryman, and shall proceed, as briefly as possible, to mention the second work at the head of our article; Prince Serradifalco (that is his usual name) has already acquired a great literary reputation, by his large work upon the monuments of antiquity in his country, of which three volumes are published. In the present work he has begun the examination of the principal monuments of the Norman epoch, as being the most illustrious period of the middle ages. He does not propose to give merely sketches, and general notions on the subject; but, on the contrary, to treat of it in its fullest extent, and to give to the world a standard work, of which the getting up should not be unworthy of the magnificent objects it undertakes to describe. The work contains, besides vignettes, twenty-seven folio engravings, and one lithographed design, of which fourteen are dedicated to the church of Monreale, three to the Capella Palatina, five to the Cathedral of Cefalù, four to the other Norman churches at Palermo, and two which contain small plans of all the old churches in Sicily, and of the principal churches of the Christian world, by which the Sicilian architecture can be illustrated. These engravings are accompanied and explained by two dissertations, with learned notes, in which are collected, from ancient authors, maps and inscriptions, whatever can throw light upon the objects in question.

The third dissertation treats upon the character of ecclesiastical architecture in Sicily. The learning of this first part of the work has left little to desire, of any consequence, and many documents and inscriptions, which, we believe, are, for the most part, very exact, are published here for the first time; the drawings are, in general, well done, although occasionally, as in the drawing of the gate of Monreale, or of the sectional plan (table iv. vii.), we think the style might have been more faithfully expressed. The drawings should have been coloured, to give any idea of the magnificence and splendour of the mosaics; for the brilliancy of the colours and gold, with which the walls are resplendent, is lost in black engravings. For want of colouring, the sixth engraving, of the interior of Monreale, gives us rather the idea of an old edifice almost in ruins, than of one of the finest churches in Europe. But we will not fall into the mistake pointed out by the old French proverb — "*le mieux est l'ennemi du bien*" — rather let us rejoice in the ac-

quisition the lover of the arts will obtain in this publication. The author concludes, as the result of his third dissertation, that the Norman churches in Sicily were the first constructed in the form of the Latin cross, because, he says, the Byzantine architects were obliged to modify the Byzantine form of the Greek cross, so as to suit the Latin worship of their masters, who associated it with the form of the ancient basilicas. We shall not enquire whether the form of the Latin cross was adopted, from the union of the Greek cross with the ancient basilica, or whether, rather, the basilica did not develop itself into the form of the Latin cross: to which opinion we ourselves incline; but we must deny that this modification (if it is one) of the Greek cross, was first adopted in Sicily, or in the twelfth, or towards the end of the eleventh century; on the contrary, at the beginning of the eighth century, upon the borders of the Rhine at Cologne, we find the Latin cross exemplified in the superb church of S. Maria in Capitolio. And from that time to the commencement of the true Gothic style, there was, in those countries, a succession of churches in the form of the Latin cross: of the truth of this every one may convince himself, who reads M. Boiserée's work upon the *Churches of the Lower Rhine* (Stuttgard and Tubingen, 1836). We could prove it also by some examples in France and Upper Italy; but this would lead us into a too detailed enquiry into the date of their construction; and, although the author is upon this point mistaken in his fact, the consequences he deduces from it appear to us correct, since it is certainly true that *in Sicily* the style of the Latin cross arose, as he has stated. To persons pursuing this sort of study, the work of the Sicilian Prince is indispensable, and they would find much valuable information upon the subject in the sketches of Mr. Gally Knight.

ART. VI.—*Tracts for the Times.* 4 vols. 8vo. London: 1833-38.

WE must refer our readers back to our tenth number for the commencement of the subject we are about to continue.* In our former article we examined, by the light of antiquity, the claims advanced by the Oxford Divines in favour of apostolical succession in their Church. In order to simplify the controversy, we made concessions till we almost

* Vol. V.

feared we might have scandalized our brethren. We wished to take up the controversy upon the lowest imaginable grounds, and for this purpose we made the following liberal allowances.

First, we put aside all question respecting the validity or invalidity of ordination and consecration in the Anglican Church.

Secondly, we entirely considered the case of this Church as one to be investigated by canonical enactments, overlooking the great point of ecclesiastical and doctrinal union with the universal Church, which is essential, *jure divino*, for the legitimate existence and exercise of hierarchical authority.

Thirdly, we limited the rights of the holy see, to be a party to the lawful appointment of bishops in England, to those of the patriarchate, instead of considering those of its supremacy.

Fourthly, we even imagined the hypothesis, that the rights exercised by the pope, as patriarch of England, had no better foundation than usurpation at the outset.

After making all these abatements in our just assumptions, we proved that the advocates of the Anglican Church could not sustain any claim on her part to a share in apostolical succession. But it was not by any means our intention to leave the investigation there. On the contrary, we promised to raise the question to a higher level, and discuss our adversaries' pretensions, or rather repel them, upon considerations involving more serious consequences. The following extract from our former article will at once explain our actual position, and define the point from which the present starts:—

“ After our clear exposition of our motives, we shall not, of course, be suspected of having yielded too much, or placed the rights of the Holy See upon too low a ground. We have certainly given up much. We have discussed the matter as one of ecclesiastical right, rather than of divine; and have shown, that, even thus, the jurisdiction and succession claimed by the Tracts for their Church, is null. But, in fact, it would be in our power to show, that such rights as the Apostolical See held, and yet does hold, over the episcopacy of the Church, are not of ecclesiastical origin, but belong essentially to the Chair of Peter, as granted to it by Our Lord himself. This leads us to another and a much higher ground, on which to base any resistance to the pretensions of the English Church and its upholders to be an ecclesiastical establishment, or ‘a branch,’ as they choose to call it, ‘of the Catholic Church,’—a ground, too, which still dispenses with all enquiry into the validity of Anglican ordination. We mean THE STATE OF SCHISM into which it put itself at the Reformation, and which at once acted as a blight upon all its ecclesiastical powers,—withering them, and rendering them incapable of any act of valid jurisdiction,

or any place in the apostolical succession. This portion of our argument, with many other matters connected with this subject, we reserve for our third article upon the Tracts. We shall treat it by the light of ecclesiastical antiquity, and exhibit instances curiously parallel with that of the Anglo-Hibernian establishment."—vol. v. p. 306.

We hardly consider it necessary, for the adversaries whom we are combating, to prove that a Church, placed in a state of schism, at once forfeits all right to the lawful exercise of its hierarchical functions. All the examples quoted in our former article, and the abundant testimonies which we shall give in this, will sufficiently prove that, according to the principles of the ancient Church, a state of schism is a state of sin, of outlawry, and deprivation; and that, even where ecclesiastical functions might be *validly* exercised, they cannot be so, either lawfully or salutarily. The bishops of a schismatical Church could not be admitted to vote or deliberate at a general council, nor be present, save as an accused or an accusing party; they could not be allowed to communicate with other bishops, without first retracting their schismatical principles; and upon returning to the unity of the Church, they would require to be formally reinstated into their sees, or would be removed to others, or remain suspended. In fine, it is only in the true Church of God that apostolical succession can be had; and any one, who, even maintaining the integrity of faith, held not to unity of communion, was anciently reckoned to be out of that Church. "Nobiscum estis," writes St. Augustine, "in baptismo, in symbolo, in cœteris Dominicis sacramentis: in spiritu autem unitatis, et in vinculo pacis, in ipsa denique Catholica Ecclesia nobiscum non estis."*

The paragraph we have extracted from our former article pledges us to the painful duty of proving that the Anglican Church is fundamentally and essentially a schismatical Church, and, as such, has no right to a place in the apostolical succession. Now, though we thus advance to a closer position with our adversaries, than in our last argument, yet we are aware that we are by no means going to the extent to which we have a right. Is the English Church *only* schismatical? Is it not as truly heretical? We unhesitatingly reply, Yes. The one state cannot easily exist without the other. St. Jerome clearly distinguishes the two, but at the same time draws this conclusion, of how naturally one runs into the other.

* "You are with us in baptism, in the creed, in the other sacraments of the Lord; but in the spirit of unity, in the bond of peace,—in fine, in the Catholic Church itself—you are not with us."—Ad Vincent. Rogat. Ep. xciii. ol. xlviii.

“Inter hæresim et schisma,” he observes, “hoc esse arbitrantur, quod hæresim perversum dogma habet; schisma, propter episcopalem discessionem, ab ecclesia separatur. Coeterum nullum schisma non sibi aliquam confingit hæresim, ut recte ab ecclesia recessisse videatur.”* And so, likewise, St. Augustine:—“Schisma [est] recens congregationis ex aliqua sententiarum diversitate dissensio; hæresis autem schisma inveteratum.”† That is to say, seldom will schism fail to justify its separation from the Church by departing from its doctrine, and so insisting that the supposed errors, which it abandoned, obliged it to separation. In this way does the Anglican Church plead doctrinal necessities for its schism,—and that very plea proves heresy. But in our argument on the subject of apostolical succession we are willing to consider the separation as simply schismatical, in the same manner as we speak of the Greek Church, which is, in truth, heretical. The fact is, that we can fully attain our purpose with the more lenient charge for our basis, and therefore prefer it. The case of heresy in the Church of England, can, indeed, be summarily made out on the simple ground of its having rejected the decrees of an œcumenical council. Still it might be considered necessary to go into details of doctrines, to establish the point to full satisfaction. At the same time the Fathers make no distinction between heresy and schism, as a ground of forfeiture of the rights belonging to the true Church, of which jurisdiction is one. Once more let us hear the great Doctor of the Western Church:—“Credimus et sanctam ecclesiam, utique Catholicam. Nam et hæretici et schismatici congregationes suas ecclesias vocant: sed hæretici de Deo falsa pronunciando, ipsam fidem violant; schismatici autem dissensionibus iniquis a fraterna charitate dissiliunt, quamvis ea credant quæ credimus. Quapropter nec hæretici pertinent ad Ecclesiam Catholicam quæ diligit Deum; nec schismatici, quoniam diligit proximum.”‡

* In Epist. ad Tit. c. iii. “This they suppose to distinguish heresy from schism,—that erroneous doctrine constitutes heresy, while schism is a separation from the Church, by the secession of bishops. However, no schism fails to frame some heresy to justify its departure from the Church.”

† The same saint, writing against Gaudentius, says: “Cum schismaticus sis sacrilega discessione, et hæreticus sacrilego dogmate.”—Lib. ii. c. ix.

‡ S. Aug. De Fide et Symb. c. x. tom. vi. p. 161. “We believe the holy, yea, the Catholic Church. For heretics likewise and schismatics call their congregations Churches; but heretics, by speaking falsely of God, violate faith; and schismatics, by wicked dissensions, depart from fraternal charity, although they believe what we believe. Wherefore neither heretics belong to the Catholic Church, which loves God, nor schismatics, because she loves her neighbour.”

From the passages we have already given, it must sufficiently appear what is the distinction between the two states, the one supposing error in faith, the other separation from unity. Now, in investigating the position of the Anglican Church, in regard to the latter, we wish strictly to adhere to the method we employed in our former article, to examine it by the light of antiquity, and judge it entirely by the rules laid down and determined by the fathers of the primitive Church. Such, in fact, is the standard by which these divines desire to be measured; and it is a satisfaction to us to have this point, at least, of complete agreement. We shall, therefore, take a case from the history of the early Church, which we consider parallel, even to an extraordinary degree, with that of the English established Church; from it we shall learn what were the criterions by which the fathers of the ancient Church judged of a case of schism, and what the manner in which they expressed their sentiments concerning it. We shall, moreover, hear the objections brought by the schismatics, and the answers given to them.

No schism longer, or more extensively, afflicted the Church, or gave rise to more interesting discussions, than that of the Donatists in Africa; and we, therefore, select it, as an illustration of the controversy between us and the Anglicans.

The Donatists, although they received their name from Donatus, schismatical bishop of Carthage, yet dated from the intrusion of his predecessor, Majorinus, consecrated by several bishops, while Cæcilianus held the see; on the ground that the latter was disqualified from holding it, because his consecrators had delivered up the sacred volumes to the persecutors. These bishops, seventy in number, assembled in council, at Carthage, with Secundus, of Tigisi, primate of Numidia, at their head, wrote to the Churches of all Africa a synodal letter, in which they declared the consecration of Cæcilianus to be schismatical, and refused to communicate with him.* Here then we have a strong case, in the supposition that each national Church has an independent existence. A large body of bishops, headed by the neighbouring primate, steps in to examine an election, charged with grievous irregularities, and pronounces a sentence, which is communicated to all the rest of the African Church. They consider Cæcilianus as an intruder, and appoint Majorinus in his place. A large

* S. Aug. in Brevicul. Collationis, cap. xiv. Oper. Tom. ix. p. 569. Auct. lib. cont. Fulgentium Donatist. cap. xxvi. *Ibid.* Append. p. 12.

portion of the African Church assent to their sentence, and from henceforth consider the latter as the legitimate archbishop, and refuse to hold communion with the former. On the other hand, many continue to consider Cæcilianus as true bishop of Carthage, and remain united with him in communion.

But, before examining how this complicated state of things was resolved, we must not omit to say a few words concerning the unhappy passions that led to this schism; the reader, we think, will be as struck as we have always been, with their exact resemblance to those that produced the separation of England from the communion of the Church. St. Optatus sums them up in these words: “*Schisma igitur illo tempore confusæ mulieris iracundia peperit, ambitus nutrit, avaritia roboravit.*”* The first of these causes was the anger of a powerful woman, called Lucilla, who could not brook the discipline and reproofs of the true Church.† She thought it, therefore, advisable to excite a schism, and with money and influence encouraged those bishops who were already inclined to cause one. Who does not here see a remarkable coincidence with the case of Anne Boleyn and her fautors,‡ who seeing that the discipline of the Church would not admit of her impious designs, brought about, as the first cause, the king’s awful separation? “*irascenti et dolenti,*” as St. Optatus writes, “*ne disciplinæ succumberet.*” The second cause of the schism was ambition; in Africa, that of some who sought to obtain the episcopal dignity; in England, that of Henry, who desired to possess the supremacy of the national Church. The third was covetousness, in both cases, after the wealth of the Church. A considerable quantity of Church plate and ornaments had been deposited in the hands of some leading men among the clergy and people, by the Deacon Felix, from fear of persecution. These they appropriated to themselves, and when called on by Cæcilianus to restore what was not theirs, preferred to become schismatics, so to retain possession of their ill-gotten wealth. A very similar desire to enrich themselves by the plunder of the Church, and appropriation

* St. Optatus De Schism. Donatist. lib. i. cap. xix. ed. Dupin, p. 18. “The schism, therefore, was at that time bred by the rage of a disgraced woman, was nourished by ambition, and strengthened by covetousness.

† Id. c. xvi. She had been reprehended by Cæcilianus for superstitious devotion to unauthenticated relics.

‡ “Cum omnibus suis potens et factiosa femina, communioni misceri noluit.” *Ib.* c. xviii.

of the accumulated wealth of ages, will easily be recognized as the chief corroborator, in powerful men among the laity and clergy, of their wish to depart from the unity of faith.

The foundations of the schism thus laid, it became every day more and more complicated in its operation. For the number of bishops who maintained it was very considerable, and spread over the whole of Christian Africa, to such an extent, that many dioceses were entirely in their hands, and the Catholics in some districts, exceedingly few in number. The Donatists became so powerful, as to take forcible possession of churches; and seize upon the property and persons of the Catholics. Hence the civil power found it necessary to interfere, and send deputies into Africa, to repress the extravagances, and chastise the excesses, of these desperate men. This only led to their having a new boast, that of confessors and martyrs, titles which they readily gave to all that suffered for crimes connected with the schism.* Many of the questions of fact, as we learn from St. Augustine, became, in course of time, involved in obscurity; such as the true case of Cæcilianus's consecration, and his real character; so that, in truth, it had become difficult for a simple individual to unravel the matter, or decide for himself to which party he ought to belong. The Catholic pastors, therefore, exerted themselves by every means in their power, to point out such simple arguments as would at once convince the most illiterate with whom they ought to side. These we shall proceed to present to our readers.

In the first place, they generally treat with the Donatists as with schismatics, and not heretics. It is a question whether these men insisted upon the erroneous doctrine generally attributed to them, of having rebaptized those who had been baptized by heretics, whether such truly, or only in their judgment. St. Augustine quotes Tichonius, of whom we shall later speak, as assuring us that, in 330, a council of two hundred and seventy Donatist bishops condemned the practice; and as appealing to witnesses still living in 380.† The same father acquits them of any error respecting the Trinity, although Donatus himself is supposed by him to have had some erroneous opinions concerning it. St. Optatus clearly

* See, for instance, the acts of Marculus, written with all the pathos of those of the true martyrs, and those of Maximian and Isaac, first published by Mabilion, and republished in St. Optatus's Works, p. 193. seq. Macrobius was the Fox of the Donatists.

† Ep. xxxix.

acquits them of errors in faith, thus writing to Parmenianus : “ Bene clausisti hortum hæreticis, bene revocasti claves ad Petrum, &c. . . Vobis verò schismaticis, quamvis in catholica non sitis, hæc negari non possunt, quia nobiscum vera et communia sacramenta traxistis. Quare cum hæc omnia hæreticis bene negentur, quid tibi visum est, hæc et vobis negare voluisse, quos schismaticos esse manifestum est ? vos enim foras existis.”* Hence, this saint always calls Parmenianus by the title of brother ; and when this was indignantly rejected, vindicates it at length in the opening of his fourth book. Once more he repeats, that the Donatists are brethren, because they possess the same sacraments.†

2ndly. The Donatists, as well as their adversaries, claimed the title of the Catholic Church. The general body of them (for we shall see that an important modification of their principles on this head was later introduced among them) maintained that the Catholic, that is, the true Church, only existed among themselves, and cut off from its pale all who were not in communion with them.‡ At the celebrated Conference of Carthage, held by order of Honorius, in 411, between the Catholic and Donatist bishops, the former headed by St. Augustine, the latter by Petilianus, the schismatics were exceedingly indignant that the title of *Catholic* should be exclusively claimed by, and given to, the other side. On the third day of the conference, when the moderator Marcellinus, called the orthodox by this name, Petilianus rose and said, “ only that side is the Catholic, which shall carry off the victory in this contest.”§ But, throughout the conference, the Catholics strove in vain to bring their opponents to the point, as to who had a right to be considered the true Church ; and it may be worth while to extract a few passages from the Acts, to show how similar the mode of argument pursued on both sides is to what would be pursued in a modern debate between Catholics and Protestants.

* Lib. 1, c. xii. p. 12. “ Rightly hast thou closed up the garden to heretics, rightly hast thou claimed the keys for Peter . . . But to you schismatics, although you are not in the Catholic Church, these things cannot be denied, because you have taken the true sacraments in common with us. Wherefore, since these are all rightly denied to heretics, why have you thought that there is any wish to deny them to you who are schismatics ? For you have gone out.”

† Cap. ii. p. 72. However, St. Augustine occasionally calls them heretics, as Cont. lit. Petil. lib. i. c. 1, where he says, “ Donatistarum hæreticorum.” He again argues the point more fully Cont. Crescon. Gram. lib. ii. cap. 4.

‡ “ Eam (ecclesiam) tu frater Parmeniane, apud vos solos esse dixistis.” S. Opt. Lib. ii. cap. i. p. 28.

§ Gesta Collat. Carthag. diei 3. cxlvi. ad Calc. Oper. S. Opt. p. 305.

“Fortunatianus, bishop of the Catholic Church, said, ‘Explain the grounds of your separation and dissension from the universal Church, spread over the entire world.’” After some tergiversation, being once more pressed by Fortunatianus, “Petilianus, bishop, said; ‘That the Catholic Church is with me, our pure observance of the law, and your vices and crimes establish.’” He then goes off to other matters irrelevant to this question. Later, when Marcellinus once more gives the title of Catholic to the anti-Donatist side, Petilianus again demands that the Acts should give his party the same title. Marcellinus replies, that he gives that name to one party, because the imperial decree bestows it; and then Petilianus answers, that till the present contest is decided, it will be to them but an empty name. “He shall obtain it,” he adds, “who, at its conclusion, shall be found truly a Christian.”* Emeritus, another Donatist bishop, spoke in the same strain. St. Augustine had urged the necessity of being in communion with the Church, which the Scriptures proclaim must be diffused over the entire world, “whose communion,” he adds, “we appear to hold, but which is falsely charged by you with grievous crimes.” To this, Emeritus replied, that whoever is truly a Christian, he only is Catholic, and can claim the name, and, that though it is by a sort of prescription borne on the forehead by the other party, yet it should be placed between the two as the reward of the victors.† This speech of Emeritus, contains another plea, presenting a curious resemblance to the reasoning of the “Tracts,” to which we may later allude.

3rdly. In addition to this desire to claim an equal right with their opponents to the name of Catholic, we must notice the desire on the part of the Donatists to disclaim this name,‡ or to fasten a similar one on the Catholics, just as that of “Romanist,” or “Papist,” is in vain applied to us by Protestants. Thus Petilianus, in the same conference, said: “Donatistas nos appellandos esse credunt, cum si nomen

* Ibid. p. 299.

† “Quicumque justis legitimisque ex causis Christianus fuerit approbatus, ille meus est Catholicus, illi hoc nomen imponitur, ille debet sibi hanc regulam vindicare; quamvis ipsa Catholica, quæ nunc pro præscriptione partis adversæ quasi in fronte quadam rite adversum nos temperari cognoscitur, medium esse debet; et in judicio ita constitui, ut hoc nomen victor accipiat.” *Ibid.* p. 301.

‡ The Tracts disallow the title of Protestant as applied to the Anglican Church. Vol. iii. p. 32. See also, Mr. Newman’s “Letter to Dr. Faussett.” 2nd edit.

paternorum ratio vertitur, et ego eos dicere possum, immò palam aperteque designo Mensuristas et Cæcilianistas esse.”*

Let us now see how the fathers argued on the other side, and what broad, clear and simple arguments they chose, to convict the Donatists of the crime of schism; to prove to them, that they belonged not to the Church of Christ, that is, to the Catholic Church, but must be content to bear the title which at once designated them as separatists, and followers of men, and not of God.

I. The first, the most frequently, and the most earnestly urged of these arguments, is the fact of the Donatist Church, however numerous its bishops and its people, being excluded from communion by other Churches, and not being admitted by them within the pale of the true Church. And this, as we shall see, is not an argument based upon right, but upon fact:—it does not require, in the opinion of the fathers, any previous examination into which party was right; the very fact of one’s being in communion with foreign Churches, and the other’s not, was considered a decisive proof that the former was necessarily in a state of schism. They lay down as principles, that the true Church of Christ was to be dispersed over the entire world, and that consequently, no national Church could claim for itself the distinction of being this only true Church. Thus reasons St. Optatus: “Ergo Ecclesia una est . . . Hæc apud omnes hæreticos et schismaticos esse non potest. Restat ut uno loco sit. Eam tu, frater Parmeniane, apud vos solos esse dixisti . . . Ergo ut in particula Africæ, in angulo parvæ regionis, apud vos esse possit; apud nos in alia parte Africæ non erit? In Hispaniis, in Gallia, in Italia, ubi vos non estis, non erit?”† He then enumerates other countries in which the Church existed, that held not communion with the Donatists: and reasons upon the texts of Scripture, which promise the entire earth to Christ as His kingdom. Now, the reasoning here is twofold, and in two ways applicable to modern controversy. In the first place, it attacks the

* “They think that we ought to be called Donatists; whereas, if account has to be taken of the parental names, I could call them, yea, I do openly and publicly call them, *Mensurians* and *Cæcilianists*.” *Ibid.* p. 296.

† “Therefore, the Church is one . . . It cannot be with all heretics and schismatics. It must therefore be only in one place. Thou, brother Parmenianus, hast said, that it is with you alone. Therefore, as it may be with you in a small portion of Africa, in a little corner of the land, with us, in another part of Africa, it is not? In Spain, in Gaul, in Italy, where you are not, it is not?” *Lib. ii. cap. 1, p. 28.*

foolish presumption of those, who would maintain that the Anglican Church is the only apostolic one, the only true Church of God, in consequence of the corruption of every other in communion with the holy See. This is a common boast, of which it can hardly be necessary to bring examples to any reader versed in controversy. The argument of Optatus, grounded upon Scripture testimony, denies at once the possibility of any national Church being exclusively the true one, and those over the world that are in communion, being false. Secondly, this reasoning strikes as much at the theory of the Tracts, and other High Church writings, which would fain have us consider the Church of Christ as an aggregate of many Churches, holding, indeed, different opinions and practices, and not actively communicating together, so that, the Anglican Church may be called "that branch of Christ's Church which is established amongst us," and the Church of Rome is allowed to be a portion (though a corrupt one) of the same Church of Christ. This system is directly at variance with the arguments of St. Optatus: "Restat ut uno loco sit." He does not imagine the possibility of Donatists being considered a part of the true Church: if *they* constitute it, the rest of the world is excluded—if Spain, Gaul and Italy, which are in mutual communion, Donatist Africa is shut out from the pale.

St. Augustine's reasoning on this subject is precisely the same. We think it needless to quote passages from him, where he maintains the universality of the Church, and, that only that can be the true church, which is dispersed over the whole earth: because it would be difficult to read many pages of his writings against the Donatists, without meeting a commentary on one of these or similar passages: "In thy seed shall all the nations of the earth be blessed." "I will give thee the nations for thine inheritance," &c. "He shall rule from sea to sea, and from the river to the bounds of the earth."

Upon these texts he insists against Parmenianus, against Petilianus, and against Cresconius, as sufficient to prove that the Churches in communion must be true to the exclusion of all that stand in separation from them. However, the texts which we shall have occasion to quote, will put the sentiments of this most learned Doctor beyond all question. In fact, we must now see the pleas whereby the Donatists justified their state of separation from communion with the rest of the world; and we shall see how exactly they resemble those of Protestants, and how they were met by this great Father.

1. First, they argued that the corruptions of the Church were such as rendered it impossible for them to keep in communion with it. This was the common plea of all schismatics. St. Jerome tells us, that a Luciferian, disputing with a Catholic, “asserted that the entire world belonged to the devil, and, as it is their wont to say, that the Church was become a house of wickedness.”* *Parmenianus* in like manner affirmed, “that the Gauls, the Spaniards, and the Italians and their friends, by whom he must understand the entire world, ‘resembled the African *Traditors* by participation in their crimes and companionship in their guilt.’”† “Hence,” he concluded, “that the whole world had been contaminated by the crime of surrendering the sacred books, and other sacrileges.”‡ This language resembles not a little that of the book of *Homilies*, regarding the corruptions of the Church before the Reformation. But the resemblance between the ancient and modern schism is, on this point, still stronger. The *Donatists* went on to say that there came, at that time, godly men, who bore witness against the prevarications of the Church, and urged those certain provinces to purge out the foul abuses that had crept in, and separate themselves from those among them that adhered to them, and consequently from those foreign Churches who kept communion with these. “*Dicit enim legatione functos quosdam, sicut ipse asserit, fidelissimos testes ad easdem venisse provincias, deinde geminato adventu sanctissimorum, sicut ipse dicit, Domini sacerdotum, dilucide, plenius ac verius publicata esse quæ objiciunt.*”§ “*Frustra dicit Parmenianus ‘damnatos in Africa traditores in consortium damnationis acceptos a provinciis transmarinis.’*”|| Now, the answer which the Fathers make to this excuse for separation, is such exactly as we make, and is perfectly applicable to

* “Asserebat quippe (*Luciferianus*) universum mundum esse diaboli, et, ut jam familiare est ipsis dicere, factum de Ecclesia lupanar.” *Dialog. adv. Lucifer. cap. 1, tom. ii. p. 173, ed. Vallara.*

† “Gallos, et Hispanos, et Italos, et eorum socios (quos ubique totum orbem vult intelligi) traditoribus Africanis commercio scelerum, et societate criminum dicit esse consimilem.” *August. cont. Epist. Parmen. lib. i. cap. ii.*

‡ “Dicit *Parmenianus* hinc probari consceleratum fuisse orbem terrarum criminibus traditionis, et aliorum sacrilegiorum.” *Ibid. cap. iii.*

§ “He says that most faithful witnesses, as he calls them, acted as ambassadors to those provinces, then by the repeated arrival of most holy priests of the Lord, as he says, these things which they object were clearly, more fully and truly published.” *Ib. c. ii.* The first witnesses may represent the foreign Reformers; the second class corresponds to *Cranmer, Ridley, &c.*

|| “In vain does *Parmenianus* say, that the traditors condemned in Africa, were received into fellowship of condemnation by the provinces beyond the seas.” *Ib. cap. iv.*

the case between us and the Anglican Church. They put against it at once the promises of Scripture, that the universality of God's Church should never fail, and made it a question between the authority of God and of men, whether those promises could fail, or not rather the testimony of men be false. "Homo putans sibi magis credi debere quam Deo," St. Augustine calls the man who makes that argument." "Quid, quæso te," he asks, "quid per ipsos fideles testes quos vultis Deo esse fideliores, quid publicatum est? An quia, per Afros traditores, semen Abrahæ quod est Christus, non est permis- sum venire usque ad omnes gentes, et ibi exaruit quo pervenit? Dicite jam magis collegis vestris credendum esse quam testa- mento Dei."* We would willingly extract the entire para- graph, which is most apposite and conclusive for our case. St. Jerome makes use of a similar argument from the Scrip- ture promises. "If Christ has not a Church, or has it only in Sardinia, he has become too poor; and if Satan possess Britain, the Gauls, the people of India and barbarous nations, and the entire world, how have the trophies of the Cross been bestowed upon one corner of the whole earth?"†

But the reasoning of the Fathers is sometimes closer and more to our purpose even than this. They propose to the Donatists the same dilemma as we, in our controversy, do to Protestants. Either the Church was so corrupted before your Reformers came, that it had ceased to be the Church of God, or not. If it was, then had Christ's promises failed, which secured perpetuity to his Church; if not, whence did those who sepa- rated from it derive their authority for this purpose, or how could any act or teaching of theirs make it cease to be what it was before? The following passage of St. Augustine is to this effect: "Quod si erat etiam tunc Ecclesia, et hæreditas Christi non, interrupta, perierat, sed per omnes gentes aug- menta accipiens permanebat, tutissima ratio est in eadem consuetudine permanere quæ tunc bonos et malos in una complexione portabat. Si autem tunc non erat Ecclesia,

* "A man who thinks he ought to be believed rather than God." . . "What, I ask you, what was published by these faithful witnesses, whom you make more worthy of credit than God himself? That, through the African traditors, the seed of Abraham, which is Christ, was not permitted to come to all nations, and was dried up where it had reached? Say at once, that we must believe your colleagues more than God's Testament." *Ib.* cap. ii.

† "Si ecclesiam non habet Christus, aut in Sardinia tantum habet, nimium pauper factus est. Et si Britannias, Gallias, Indorum populos, barbaras nationes, et totum semel (*simul*) mundum possideat Satan, quomodo ad angulum universæ terræ Crucis trophæa collata sunt?" *Ubi sup.* No. 15, p. 186.

quia sacrilegi hæretici sine baptismo recipiebantur, et hoc universali consuetudine tenebatur; unde Donatus apparuit? de qua terra germinavit? de quo mari emersit? de quo cœlo cecidit? Nos itaque, ut dicere cœperam, in ejus Ecclesiæ communione securi sumus, per cujus universitatem id nunc agitur quod est ante Agrippinum, et inter Agrippinum et Cyprianum per ejus universitatem similiter agebatur.* Here, then, it is taken for granted, that the very fact of any practice being followed or tolerated in the Church is a sufficient vindication of it; and, that whenever a separation takes place from the body of the Church on the ground of such being corruptions, those are safe who adhere to the portion that perseveres in those practices, while the pretended reformers are at once to be rejected, as having no mission or commission for their schismatical undertakings. The same Father uses the same argument on other occasions. For instance, in his treatise “*De unico Baptismo*,” where he writes as follows:—“If that be true which these men assert, and by which they endeavour to maintain or excuse the cause of their separation, namely, that the fellowship of the wicked in the same sacraments defiles the good, and that, therefore, we must separate ourselves bodily from the contagion of the evil, lest all should together perish;† it clearly follows, that at the time of Stephen and Cyprian, the Church had perished, nor was any left to posterity, in which Donatus himself could be spiritually born. But if they consider it impious to say this, for in truth, it *is* impious, then, as the Church remained from these times to the times of Cæcilianus and Majorinus, or of Donatus, . . . so could the Church remain after this latter period, which, encreasing through the entire world, as had been foretold of her, the particular crimes of any traditors or other wicked men could not defile . . . There was no reason, therefore, but

* “But, if the Church then was, and Christ’s inheritance had not perished, by being interrupted, but, receiving increase through all nations, yet endured, it is the safest principle to persevere in the same practice which then united in one embrace, the good and the evil. But, if at that time, there was no Church, because sacrilegious heretics were received without (repetition of) baptism, and this was the universal practice, whence did Donatus make his appearance? from what earth did he spring up? from what sea did he emerge? from what heavens did he fall? We, therefore, as I had begun to say, are secure in the communion of that Church, through the entire of which that is now practised, which, in like manner, was practised through it entire, before Agrippinus and between Agrippinus and Cyprian.” *De Baptismo cont. Donatistas. Lib. iii. cap. 2.*

† How often do we see and hear applied to those in communion with the Catholic Church, those words, “Go out from her, my people, that you be not partakers of her sins, and that you receive not of her plagues.” *Rev. xviii. 4.*

it was an act of the greatest madness, for these men, as if to avoid the communion of the wicked, to have separated themselves from the unity of Christ, diffused over the entire world."*

These passages hardly require any comment; any reader of ordinary judgment, will see how St. Augustine must, upon his principles, have judged the case of the English Church, if it put in the plea of justification, which the great body of its defenders do, that the absolute corruptions of the foreign Churches with which it had before been in communion, as well as of those at home, who resolved upon keeping up that communion, made it imperative on her to refuse communion without their reformation. For he takes it for granted; first, that before such a call on them was made, these aggregated Churches constituted the true unfailing Church of Christ; secondly, that if a particular Church, such as the African or the British, called upon them to make changes, or by making such, separated itself actually or virtually from their communion, they could not thereby lose their prerogative, but remained what they were before: thirdly, that it was safe to remain in communion with these rather than with the separating Church; fourthly, that if Cyprian, (still less, if Berengarius or Huss), with some, protested against a practice, held in his time by the great body of the Church,† it could not thereby cease to be what it was before, nor could any portion of the Church plead in excuse of its separation any such decision, but such a portion at once became involved in the guilt of schism and all its entailed forfeitures. These principles, if applied to modern controversy, will go a great way towards deciding the respective positions of the Catholic and Anglican Churches.

2. But it may perhaps be said, that the case between us and Protestants is by no means so simple as that of the Donatists and the Catholics of their times, but that the decision as to

* "Si ergo verum est quod isti dicunt, et unde causam suæ separationis asserere vel excusare conantur, in una communione sacramentorum mali maculant bonos, et ideo corporali disjunctione a malorum contagione recedendum est ne omnes pariter pereant; jam tunc Stephani et Cypriani temporibus constat periisse Ecclesiam, nec posteris derelictam, ubi Donatus spiritualiter nasceretur. Quod si dicere nefarium judicant, quia revera nefarium est, sicut mansit Ecclesia ex illis temporibus usque ad tempora Cæciliani et Majorini, sive Donati, . . . sic potuit et deinceps Ecclesia permanere, quam toto, sicut de illa prædictum est, terrarum orbe crescentem nullo modo poterant quorumlibet traditorum ac facinorosorum aliena crimina maculare . . . Nulla igitur ratio fuit, sed maximus furor, quod isti velut malorum communionem caventes, se ab unitate Christi quæ toto orbe diffunditur separarunt." De unic. Bapt. cont. Petil. c. xiv.

† "Multi cum illo (Stephano) quidam cum isto (Cypriano) sentiebant." *Ibid.*

a case of schism must depend upon the examination of the points of difference. Now to this we reply, that by the Fathers, who combated the Donatists, the question was essentially considered one of fact rather than of right; that is to say, the very circumstance of one particular Church being out of the aggregation of other Churches, constituted these judges over the other, and left no room for questioning the justice of the condemnation. St. Augustine has a golden sentence on this subject, which should be an axiom in theology: “*Quapropter SECURUS judicat orbis terrarum, bonos non esse qui se dividunt ab orbe terrarum, in quacumque parte orbis terrarum.*”^{*} This principle he repeats in fuller terms on another occasion: “*Inconcussum igitur,*” he writes, “*firmumque teneamus, nullos bonos ab ea (Dei Ecclesia) se posse dividere; id est, nullos bonos etiamsi cognitos sibi malos patiantur, ubicumque versantur, propter se a longe positos et incognitis bonis temerario schismatis sacrilegio separare; et in quacumque parte terrarum vel facta sunt ista, vel fiunt *vel futura sunt*, ceteris terrarum partibus longe positos, et utrum facta sint, vel cur facta sint ignorantibus, et tamen cum orbe terrarum in unitatis vinculo permanentibus, ea ipsa sit firma securitas non hoc potuisse facere, nisi aut superbiæ tumore furiosos, aut invidentiæ livore vesanos, aut sæculari commoditate corruptos, aut carnali timore perversos.*”[†] Here then is a general rule applicable not merely to the Donatist case, but to all future possible divisions in the Church. Those cannot be possibly right who have separated themselves from the communion of distant Churches which remain still connected in the bond of unity. Whatever plea may be set up, of corruptions or abuses, the true ground of separation will be one of those pointed out by the great St. Augustine. And, in truth, who does not acknowledge that the “haughty fury” of

* “Wherefore, the entire world judges WITH SECURITY, that they are not good, who separate themselves from the entire world, in whatever part of the entire world.” Cont. Epist. Parmen. Lib. iii. cap. 3.

† “Let us, therefore, hold it for an unshaken and stable principle, that no good men can separate themselves from it (the Church): that is, that, although they may have to endure evil men, known to themselves, no good men, wherever they may be, can, on their own account, separate, by the rash sacrilege of schism, from the good living far off and unknown to them. And, in whatever part of the world this has been done, or is done, or *shall be*, while the other distant parts of the earth are ignorant that it has been done, or wherefore it has been done, and yet continue in the bond of union with the rest of the world; let this be considered quite certain, that none can have so acted, unless they had been, either furious with swelling pride, or insane with livid envy, or corrupted by worldly advantage, or perverted by carnal fear.” *Ib.* cap. 5.

Henry VIII, the “worldly advantage” of his, and his son’s “corrupt” nobility, and the “carnal fear” and time-serving policy of a “perverted,” heartless clergy, who had not the courage to follow More and Fisher to the scaffold, produced and promoted the first schismatical separation of England from the communion of other Churches dispersed over the world?

3. The principles thus far laid down, on the authority of the ancient Church, meet not only the reasoning of the ultra-Protestants, but also those of the High Church, or Oxford school. For they maintain, that, although throughout the middle ages, the Church in communion with Rome, was, in spite of her errors, the true Church, because she had not sanctioned them by any positive decree, yet she forfeited her title, and became heretical, when at the Council of Trent she did so.* Now this was precisely the argument of the Donatists, which we have seen combated by St. Augustine. They allowed that, at the time of St. Cyprian, the Church in communion with Pope Stephen was true and orthodox, though the same evil principles and abuses existed which they so severely reprovèd; but no sooner did the body of foreign Churches formally adopt and approve these malpractices, and the erroneous maxims on which they were grounded, than they fell into a state of heresy and schism. Now we have seen St. Augustine put this case, and demonstrate that either the Church failed in the first instance, and so was lost, and with it lawful sacraments and orders; or else that this could not be admitted in the second. We have seen how any one Church, in one portion of the world, could not possibly be allowed to be right, while protesting against the union of other Churches over the rest of the world. The very fact of its being in such a position, at once condemns it, and proves it to be in schism. Still it may be both interesting and instructive to pursue this enquiry still farther, and see this particular plea more closely examined. For it so happened that the Donatists, like the modern Anglicans, asserted that they were not the separatists, but that the other Churches were. These are their words:—“Si vos

* “True, Rome may be so considered (heretical) now; but she was not considered heretical in the first ages. If she has apostatized, it was at the time of the Council of Trent. . . . Accordingly, acknowledging and deploring all the errors of the middle ages, yet we need not fear to maintain, that, after all, they were but the errors of individuals, though of large numbers of Christians.”—*Tract xv.* p. 10, where, in a note, the opinion of Gilpin is quoted, with approbation, that after that epoch, “it seemed to him a matter of necessity to come out of the Church of Rome.” This is perfectly the Donatist view of the case.

tenere Catholicam dicitis, Catholicos illud est quod Græce dicitur unum sive totum. Ecce in toto non estis, quia in partem cessistis.”* To this St. Augustine, on this occasion, contents himself with first explaining the meaning of the term “Catholic,” to wit, that which is extended over all the world, and then by throwing ridicule on the extravagance of the assertion. “How can we be separatists,” he asks, “whose communion is diffused over the entire world? But, as if you were to say to me, that I am Petilianus, I should not know how to refute you, except by laughing at you as in jest, or pitying you as insane;—I see no other course now. But as I do not think you were joking, you see what alternative remains.”†

On another occasion, the same holy Father gives a decisive criterion whereby it may be determined who went forth from the Church, or who were, in other words, the violators of Catholic unity. It was not long before the Donatists split into innumerable sects; the usual consequence of departure from unity. But the account of this division is so well given by St. Augustine, and so accurately describes the vicissitudes of modern, as well as of ancient schism, that we must be allowed to quote his words:—“Eadem pars Donati in multa minutissima frustra conscissa est, quæ omnes minutissimæ particulæ hanc unam multo grandiore in qua Primianus est, de recepto Maxiministarum baptismo reprehendunt, et singulæ conantur asserere apud se tantummodo verum baptismum remansisse, nec omnino esse alibi, neque in toto orbe terrarum, qua Ecclesia Catholica expanditur, nec in ipsa grandiore parte Donati, nec in ceteris præter se unam ex minutissimis particulis.”‡ If for the “pars Donati” we substitute the Anglican Church, what a faithful picture we have of the minute subdivisions of separatism into which dissent from her has broken, every one of which denies to the others sound doctrine,—as the Donatists did baptism,—as well as to the original branch of which they

* “If you say that you have the Catholic Church, καθολικός is, in Greek, ‘one,’ or ‘whole.’ Behold, you do not constitute the whole, since you have seceded apart.”—Cont. Liter. Petil. lib. ii. cap. 38.

† “Sed quemadmodum, si mihi diceret quod ego sim Petilianus, non invenirem quomodo refellerem, nisi ut aut jocantem riderem, aut insanientem dolerem; hoc mihi nunc faciendum esse video; sed quia joculari te non video, vides quid restet.”—Ibid.

‡ “The very sect of Donatus is divided into many very minute parts, every one of which minute parts blames this much larger one, in which Primianus is, for having received the baptism of the Maximinians; and each one endeavours to maintain that true baptism has remained in it alone, and is nowhere else, neither in the entire world, over which the Catholic Church is spread, nor in the larger sect itself of Donatus, nor in any other except itself, one of the said most minute parts.”—De Baptis. Cont. Donatistas, lib. i. cap. ii.

are the boughs, and to the great trunk of Catholic and apostolical descent from which both it and they have been lopped off.

But to come to our point, which is, the criterion suggested by St. Augustine for determining who are the separatists and schismatics. It is this:—You have no difficulty in deciding that these different sects separated from you, and not you from them (as they pretend); because, while *primitive* Donatism is commensurate with them all, each of these prevails more in one than in another province: the Rogatenses, for instance, in Cæsarean Mauritania; the Urbanenses in some parts of Numidia; and so forth. This criterion would apply to the Anglican Church. For some parishes are comparatively free from dissent; and there is no portion of England, however occupied by it, in which that Church is not found: then some sects, as the Quakers, are unknown in some districts, while they are abundant in others; different classes of Methodism, Unitarianism, or Moravianism, have their favourite districts, in which their teachers and followers more abound. And as the Anglican Church occupies all the space subdivided among them all, we justly conclude that they all went forth from it, and not it from them. In like manner, observes this learned Father, we see one heresy infest one country, and another another; each sect has its own territory,—for where it has sprung up, there, being of its nature unprolific, it lies till it withers up. But the Catholic Church occupies the whole world, taking in the very countries in which the respective sects exist, surrounding and compenetrating them; and, therefore, by parity of argument, this is proved to be the true Church, from which all they are separatists and schismatics.* This argument is at once simple and conclusive. It supposes, what is of great importance in our controversy with the Oxford

* “*Contra universitatem vero Ecclesiæ, quia te inania repetere libuit, etiam hic tibi respondeo. Sicut in Africa pars Donati vos estis, a quibus apparet partem Maximiani schisma fecisse, quoniam non est per Africam, qua vos estis, vos autem et in regionibus in quibus illa est non decetis, nam et alia schismata facta sunt ex vobis, sicut Rogatenses in Mauritania Cæsariensi, Urbanenses in quadam Numidiæ particula, et alia nonnulla, sed ubi præcisa sunt ibi remanserunt. Et hinc enim apparet eos a vobis exiisse, non vos ab ipsis, quia vos etiam in his terris ubi ipsi sunt, illi autem quaquaversus vos estis non nisi forte peregrinantes inveniuntur. Sic Ecclesia Catholica, quæ, sicut ait Cyprianus, ‘ramos suos per universam terram copia ubertatis extendit,’ ubique sustinet scandala eorum qui ab illa, vitio maximæ superbæ præciduntur, aliorum hic, aliorum alibi atque alibi. . . . Ubi enim cadunt, ibi remanent, et ubi separantur ibi arescunt, unde ipsa de qua præciduntur etiam in eas terras extenditur, ubi jacent illi in sua quæque regione fragmenta: in illa vero, singula, quacumque distenditur, non sunt, quamvis aliquando vix rarissima folia ex eorum ariditate ventus elationis in peregrina dispergat.*”—Cont. Crescon. lib. iv. cap. 60.

divines, the possibility,—nay, the necessity of the Church Catholic having members, in countries under a schismatical hierarchy, who communicate with the rest of the Catholic world ; a point on which we shall have later to speak : “ Ipsa (Ecclesia) de qua præciduntur, etiam in eas terras extenditur ubi jacent illa quæque in sua regione fragmenta.” Let us, then, apply the argument to our times. We see the Lutherans occupying the northern parts of the European continent, the Calvinists Switzerland, the Presbyterians Scotland, the Anglicans England. Not one of these has a Church, properly so called,* in any other country ; none in Spain, or Italy, or France, or Southern Germany, or South America, or Syria, or China. “ Ubi cadunt ibi remanent.” But we, that is, the Church wherewith we are in communion, extends over the whole of the world, occupying, extensively, several of these countries, and having large bodies of Christians in others. And even where those Protestant sects prevail, congregations and numerous flocks are found communicating with the one Church spread over the world. And what we have said of Protestant countries, we may extend, as St. Augustine does, beyond the Donatists, to other heresies, as the Nestorians and Eutychians in the east. For almost wherever these are, Catholics exist ; but they are not to be found, except as strangers, *nisi forte peregrinantes*, in countries entirely Catholic. We see, then, how simple and yet how efficacious is the test proposed by St. Augustine, for deciding whether the English Church be a seceder or not from Catholic unity.

At the same time we cannot forbear quoting another criterion proposed by the other Father, whom we have already copiously cited, St. Jerome. His words are strikingly applicable to our present case. We will give them in the original. “ Poteram diem istiusmodi eloquio ducere, et omnes propositionum rivulos uno Ecclesiæ sole siccare. Verum quia jam multum sermocinati sumus brevem tibi apertamque animi mei sententiam proferam, in illa esse Ecclesia permanendum, quæ ab Apostolis fundata usque ad diem hanc durat. Sic ubi audieris eos qui dicuntur Christi non a Domino Jesu Christo sed a quoquam alio nuncupari, ut puta Marcionitas, Valentinianos, Montenses, seu Campitas ;† scito non Ecclesiam Christi, sed Antichristi esse synagogam. Ex hoc enim ipso quod postea instituti sunt, eos se esse indicant quos futuros

* The small number of Protestants in France or Piedmont are not in communion with any other “ fragment,” but form independent sects.

† These were the names by which the Donatists of Rome were distinguished.

Apostolus prænunciavit. Nec sibi blandiantur, si de Scripturarum capitulis videntur sibi affirmare quod dicunt, cum et diabolus de Scriptura aliqua sit locutus, et Scripturæ non in legendo consistant sed in intelligendo.* Now, though this criterion will, in most special wise, apply to those sects which bear the names of men, as Lutherans, Calvinists, and Wesleyans; yet will it be found applicable no less to any, whose designation indicates a state of separation from the rest of the Church. For, the new Oxford school will not easily persuade men that their Anglican Church forms no part of the great *Protestant* defection, a title which at once expresses separation and opposition to that greater aggregation of Churches dispersed over the whole world, on which no efforts have succeeded in fixing any different title beyond that of the *Catholic*.

4. But the Donatists endeavoured to escape from the application of this test by another sophistry. You, they said, are no more universal or Catholic than we. A great part of the world is still heathen,† and much is occupied by sects which you do not admit into the pale of the Church. Or rather sometimes the Donatists affected to believe that Catholics readily admitted the latter into communion with them, in order to enlarge their grounds to claim that title.‡ To this St. Augustine replies, that heathen nations will gradually be converted, and that, to the end of the world, room will be left for the dilatation of religion, and the fulfilment of God's promises regarding the propagation of the faith. With regard to the other objection, he observes that we do not admit any who differ from us in faith into religious community; but that these, like the Donatists, are in different countries unprolific, and confined within certain limits, beyond which they have no

* "I could occupy the entire day with this subject, and dry up all the dribblets of (schismatical) propositions by the sun of the Church alone. But since our discourse has been long . . . I will briefly and clearly lay you down my opinion, that we must remain in that Church which, founded by the Apostles, endures unto this day. Wherever you hear those who are called Christians, receive their name not from the Lord Christ Jesus, but from some one else; as, for instance, the Marcionites, Valentinians, Montenses, or Campites, know that they are not the Church of Christ, but the synagogue of Antichrist. For, from the very fact of their being of later institution, they show themselves to be those whom the Apostle foretold. Neither let them flatter themselves, if they appear to prove what they say, by texts of Scripture; seeing that the devil cited passages from Scripture, and Scripture consists not in the reading, but in the understanding of it." Ubi supr. *in fine*.

† "Omitto gentium barbararum proprias regiones, Persarum ritus, sidera Chaldeorum, Ægyptiorum superstitiones." Crescon. ap. Aug. cont. eumd. Lib. iv. cap. 61.

‡ "Non ergo nobis communicant sicut tu dicis, Novatiani, Ariani, Patripasiani, Valenitiani," &c. *Ibid*.

power to spread, so as to put in a title to be considered the Church Catholic.* We see here two important points decided; first, how the Catholicity of our Church is not hemmed in by the many unconverted nations yet remaining, inasmuch as they are rather a field on which the Catholic prerogative of propagation and fecundity is to be exercised till the end of time; and, secondly, how the Catholic Church, then, as now, sternly excluded from its communion all sects that differed from it, instead of making the Catholic Church consist, as the tract writers would desire, of the heterogeneous amalgamation of various Churches differing in doctrine, as the Greeks, Syrians, and Anglicans, with the many harmoniously united in communion with Rome.† On another occasion, we find St. Augustine answering the other form of the second of the rehearsed objections; namely, that the number of sects not in communion with those that call themselves the Catholic Church, excluded this from that title, “Quomodo,” asked Cresconius, “totus orbis communione vestra plenus est, ubi tam multæ sunt hæreses, quarum vobis nulla communicat?”‡ To this the saint replies, as on the other occasion, tacitly acknowledging the fact of non-communication with heretics, but still maintaining the universality of the Catholic Church.

5. Only another subterfuge remains: it is, that to belong to the universal Church, it is not necessary to be in *active* intercourse and communion with the different parts that compose it; so that the Anglican Church may be a portion of Christ's Church Catholic, although it has no actual badges to show of amity and harmony with other portions of the same Church in Europe, or the East. Cresconius, the Donatist, made use of precisely this principle, which is necessary to the establishment of the system maintained on this subject by the Oxford divines: “Non communicat Oriens Africæ, nec Africæa Orienti.”§ To

* “1. Unde necesse est, non solum fecunditate nascentis Ecclesiæ, verum etiam permixta multitudine inimicorum ejus, per quos pietas ejus exerceri et probari posset, usque in finem judiciarum separationis totus orbis impleatur. . . . 2. Veruntamen ubicumque sunt isti (hæretici) illic Catholica, sicut in Africa, ita et vos: non autem ubicumque Catholica est, aut vos estis aut hæresis quælibet illarum. Unde apparet quæ sit arbor ramos suos per universam terram extendens, et qui sint rami fracti non habentes vitam radicis, atque in suis cuique jacentes et arescentes locis.” *Ibid.*

† See, for example, Tr. viii. p. 4, where the Churches of Rome, Holland, Scotland, Greece, and the acknowledgedly heretical churches of Asia, are enumerated as forming so many parts of the Church Catholic.

‡ “How is all the world full of your communion, while there are so many heresies, not one of which communicates with you?” Cont. Cresc. lib. iii. cap. 66.

§ “The East does not communicate with Africa, nor does Africa with the East.” *Ibid.* cap. 67.

this St. Augustine replies, that, “with the chaff, that is out of the Lord’s barn-floor, the east does not indeed communicate, but with the Catholic wheat, and with the straw that is within, the east does communicate with Africa, and Africa with the East.” The Donatists seem to have wished to maintain the independence of the African Church, as requiring no direct connexion with the Churches of Asia. Hence, on another occasion, where St. Augustine had a friendly conference with Fortunius, a Donatist bishop, the question, almost at its outset, turned upon this point. The learned Father asked him, which was the Church in which one must live well, “whether that which, according to the predictions of Holy Writ, was to be diffused over the entire world, or that which a small part of Africa, or the Africans, contained? At first, he tried to assert, that his communion was over the whole world. I asked him, whether he could give letters of communion, which we called *formatæ*, whithersoever I wished; and I affirmed what was clear to all, that by this test, the entire question could be brought to a close.”† But the Donatist soon ran off his ground, and turned to other matters. Now, if the courteous reader will take the trouble to turn over to the third volume of this Review, (July 1837), he will find us challenging the Anglicans to the same proof of the assertion, which they make in common with the Donatists, that they are a part, or a branch of the Church Catholic, dispersed over the world. We took Barrow’s criterions of religious unity, and showed how no prelate of the Anglican Church could safely attempt to apply them in practice to his Church.‡ If he sent letters of communion to any foreign bishop, (except perhaps in North America), they might be answered through courtesy, but the pledge of amity would not be accepted. We can challenge them therefore to the very same proof, as Augustine challenged Fortunius to, and the very fact of their not being able to submit to it, would

* “Non sane sed in paleis hæreticis ab area Domini separatis: in frumentis autem catholicis et interioribus paleis omnino communicat Oriens Africæ, et Africae Orienti.” *Ibid.*

† “Deinde quærere cœpimus, quænam illa esset ecclesia ubi vivere sic oportet, utrum illa quæ, sicut Sancta ante Scriptura prædixerat, se terrarum orbe diffunderet, an illa quam pars exigua vel Afrorum, vel Africæ contineret. Hic primo asserere conatus est, ubique terrarum esse communionem suam. Quærebam utrum epistolas communicatorias quas formatas dicimus, posset quo vellem dare; et affirmabam, quod manifestum erat omnibus, hoc modo facillime illam terminari posse quæstionem.” *Epist. ad Eleus. Glor. et Fal. tom. ii. Ep. xliv. vol. clxiii. cap. 2.*

‡ Pp. 69, sqq. The criterions proposed by Dr. Barrow, are all *acts* of communion, not one of which would in practice be applicable to the English Church.

decide the question, as it did then, that they are in a state of schism. The twenty-third canon of the African code prescribes, that if any bishop travel beyond the sea, he provide himself with *literæ formatae*, or letters of communion from his primate. This proves, that an active communion was required between Churches separated by the sea, so that any bishop bearing such letters, would be readily admitted into participation in all religious and ecclesiastical rites, with the bishops of the country in which he might travel. Would such letters from the English primate be heeded even in Europe? How much less in China, in India, or Syria? Yet, not only the letter of a Catholic primate, but that wherewith every bishop or vicar-apostolic usually furnishes any of his clergy, who have occasion to go abroad, is received with respect by every foreign bishop, and secures to its bearer all the rights of communion in belief and practice, and opens to him at once the gates of the sanctuary and the hearts of his fellow-labourers in Christ. St. Augustine is careful to remove the impression, that when he wrote to any Donatist leaders, he thereby entered into communion of faith: and thus proves to us the difference between civility and charitable intercourse, and communion in religion. “Unde factum est,” he writes, “ut etiam ad nonnullos Donatistarum primarios scriberemus, *non communicatorias literas, quas jam olim, propter suam perversitatem, ab unitate Catholica, quæ toto orbe diffusa est, non accipiunt*, sed tales privatas qualibus nobis uti etiam ad paganos licet.”*

If the case therefore of the Anglican Church had to be decided by the principles and the voice of antiquity, we do not see how any verdict, but that of schism, could be pronounced against it. It is in a state of separation from the aggregate of Churches dispersed over the world. It cannot make an excuse, it cannot raise a point either of fact or of right, in bar of judgment, which has not been already met by the judicious sagacity of the great supporter of the unity of the Church, when combating the cavils of the Donatists. But, we have yet a second and most important test provided for us by antiquity, whereby we must farther prove our point before we proceed to investigate the awful consequences in regard to apostolical

* “Whence it came, that we wrote to some of the chief men among the Donatists, not letters of communion, which they do not receive for a long time from the Catholic unity dispersed over all the world, on account of their perversity, but such private letters as it is lawful for us to send even to pagans.” Ep. xliii. ol. clxii. cap. 1.

succession and claims to authority, that result from this state of separation.

II. The second criterion of the true Church is closely allied to the first, though simpler in its application. According to the doctrine of the ancient Fathers, it is easy at once to ascertain who are the Church Catholic, and who are in a state of schism, by simply discovering who are in communion with the See of Rome, and who are not. This test, as we just remarked, is nearly connected with the foregoing: inasmuch, as the Chair of Peter being the centre of the Catholic unity, all that communicated with it, knew at once that they were in communion with the rest of the Church dispersed over the world. To have kept up an active communication with all the sees, even with all the metropolitans of the world, would have been, for each bishop, a difficult, not to say, an impossible, undertaking. Nor could the faithful have easily discovered whether their own bishop preserved Catholic unity in this way. Let us then at once show the various ways in which this connexion with the apostolic see was applied to the preservation of unity and the immediate detection of schism.

1. We have seen that communion was actively kept up by means of the *epistolæ formatæ*. No doubt, on particular occasions, such as that mentioned by St. Augustine, any bishop writing to other sees, would have received in reply letters of communion. But ordinarily this regular interchange of religious communion all centred in the Apostolic See. We will not here inquire whether the *formatæ* which it sent even to patriarchs, were not of a much higher character, and contained a confirmation of their election, without which it was not admitted. We think decidedly, that such was the case.* But, as we have, throughout this discussion, desired and endeavoured to deal generously with our opponents, and have not insisted upon any point which we could waive in our argument, we are willing to act consistently in this matter too: and shall therefore suppose that the *formatæ* of the Holy See went no farther than to acknowledge religious communion with the bishops to whom they were addressed. Still, this intercourse was considered essential to the maintenance

* Pope Boniface I informs us, that Theodosius, fearing lest the election of Nestorius to the Constantinopolitan patriarchate would be null, "habere non existimans firmitatem," because he, (the pope), had not known of it, sent a deputation of courtiers and bishops, and "formatam huic a Sede Romana dirigi depoposcit, quæ ejus sacerdotium roboraret." Ap. Coustant. Epp. Rom. Pont. col. 1043.

of religious unity, and its absence was a clear indication of a state of schismatical separation. We have a remarkable proof of this communication carried on by distant Churches through the medium of the Holy See, in an argument employed by St. Augustine. The Donatists, to prove that the rest of the Church had kept communion with them, asserted that the Council of Sardica had written a letter to Donatus of Carthage. To this the holy Father replies, that, supposing the synod to have been orthodox, it does not follow, that the Donatus mentioned was the bishop of Carthage, as the names of the sees are not cited in the letter. He then adds, “quod hinc maxime credibile est, quod ad Carthaginiis episcopum, Romanoprætermisso, nunquam orientalis Catholica scriberet.”* But St. Optatus is the writer who uses this argument in the clearest manner, and proves the schism of the Donatists by the simple fact of their not communicating with the rest of the world, through him who sat in the Chair of Peter. After tracing the succession of pastors from St. Peter to Siricius, he adds, “who is in fellowship with us, with whom the entire world is joined, in the society of one communion, through the intercourse of *formatæ*.†

2. But this was by no means the highest ground on which communion with the see of Rome was required of all who wished to be considered within the pale of the Catholic Church. It was not for the convenience of mutual intercourse, but for the necessity of ecclesiastical unity, that the Chair of Peter and his successors had been made the centre, and received the headship, of the Church. St. Ambrose, writing to the Emperors, calls the Holy City, “totius orbis Romani caput Romanam ecclesiam . . . inde enim in omnes venerandæ communionis jura dimanant.”‡ St. Optatus, however, lays the greatest stress upon this point. Again and again he presses the charge of schism upon the Donatists, because they are separated from the Chair of Peter. Having proved that the Catholic, or true, Church must be diffused over the entire world, he proceeds to point out more particular marks and ornaments whereby it may be more easily distinguished. The first of these is the *Cathedra* or episcopal

* “Which is the more credible, because the oriental Catholic Church never wrote to the Bishop of Carthage, passing over the Bishop of Rome.” Cont. Crescon. lib. iii. cap. 34.

† See the text quoted below.

‡ “The Roman Church head of the entire Roman Empire . . . for thence flow to all the rights of venerable communion.” Ep. ii. ad Grat. et Valent.

chair. By this it is evident that he did not mean episcopacy in general, nor the succession of bishops validly ordained, as he allows the Donatists to have possessed these. He goes on therefore to explain his meaning and apply it. "We must see," he writes, "who sat first upon the chair, and where. If you are ignorant, learn; if you know it, blush; you cannot be charged with ignorance, therefore you must know it. . . . Therefore you cannot deny that you know, that in the city of Rome, the episcopal chair was bestowed on Peter first, on which sat Peter, the Head of all the apostles, whence he was called Cephas; in which ONE CHAIR unity was to be preserved by all, lest the rest of the apostles should stand up each one for a separate Church; SO THAT HE SHOULD BE A SCHISMATIC AND A SINNER WHO SHOULD SET UP AGAINST THE ONE CHAIR, another."* Before proceeding to the next words of the Father, we will indulge in one or two remarks. It is repugnant to the obvious purport of his argument to imagine, with Chillingworth or Mr. Poole, that he here speaks only of schism *within* the Roman Church, strictly so called, by the setting up of a Donatist bishop in the city of Rome, in opposition to the one in direct succession from St. Peter. For St. Optatus speaks of the Roman see as *one* and *singular*, in reference not to any rival pretensions that might be set up with it, but in reference to the sees erected by the other apostles. Unity was to be preserved in this chair, in such way, as that no other *apostolic* chair was to be set up against it, without incurring the guilt of schism. What could be the motive for introducing here the mention of other apostolic sees, if the object was only to lay the basis for an argument that he was a schismatic who erected a rival throne in the same see? A proposition so evident, that it certainly required no appeal to the respective positions of Peter and the other apostles. But St. Optatus well knew that there was a twofold form of schism, one by separation from the immediate bishop,

* "Videndum est quis, et ubi prior cathedram sederit. Si ignoras, disce; si nosti, erubescere; ignorantia tibi adscribi non potest, restat ergo ut noveris Igitur negare non potes scire te in Urbe Roma, Petro primo Cathedram episcopalem esse collatam, in qua sederit omnium apostolorum caput Petrus, unde et Cephas appellatus est, in qua una cathedra unitas ab omnibus servaretur; ne ceteri apostoli singulas sibi quisque defenderent: ut jam schismaticus et peccator esset, qui contra singularem cathedram, alteram collocaret. "De schism Donat. lib. ii. cap. 2, p. 31. The learned author to whom we allude in the next page, reads *tibi* for *sibi*, in the last sentence." St. Cyprian Vindicated, p. 20. We follow Dupin's edition, which gives no various reading here. Of course the sense is precisely the same.

who forms the first link with each one in the chair of unity, and the other, consequent on it, by separation from the centre at which the various chains are joined together. For otherwise, what can be the meaning of his thus addressing Parmenianus: "*Neo Cæcilianus recessit a Cathedra Petri vel Cypriani, vel Majorinus cujus tu cathedram sedes?*"* What, we ask, is the meaning of these words, unless a schism in Africa, at Carthage, was considered a separation not only from the see of that city, on which Cyprian had sat, but also from that of Rome? We therefore conclude, that St. Optatus, in declaring every one a sinful schismatic who sets up a rival chair to that of Peter, spoke not of those in Rome itself, but of any, who in distant countries, established the independence of their sees.

The learned Father, having thus laid the foundation of his argument, proceeds to apply it to the Donatist controversy, in the following terms: "Therefore, the one chair, which is the first of the properties [of the Church], Peter filled the first, to whom succeeded Linus; to Linus succeeded Clement [here the saint enumerates all the pontiffs down to his time; then concludes] to Damasus, Siricius, who is now in fellowship with us, with whom the entire world is joined with us in the society of one communion, through the intercourse of *formatæ*. You give an account of the origin of your chair, you who wish to claim to be the holy Church."† It may be deemed necessary for us to reply to the cavils of the two above-named divines, upon this, as we have done on the preceding part of St. Optatus's text. We are, indeed, dispensed from the task, by the able manner in which we find it has just been done by the Rev. F. C. Husenbeth, who, by his answer to Mr. Poole, has added another to the many claims he already possessed, to the respect and gratitude of British Catholics, and has gained a new title to the character he so justly bears of a sound divine, a ready polemic, and a zealous ecclesiastic.‡ We will content ourselves, therefore, with a very few remarks. In laying down the point which he intended to prove, that is, which

* "Nor did Cæcilianus separate himself from the chair of Peter or of Cyprian, but Majorinus did, whose see you occupy." Lib. i. cap. 10, p. 10.

† "Ergo cathedram unicam, quæ est prima de dotibus sedit prior Petrus, cui successit Linus, Lino successit Clemens . . . Damaso Siricius, hodie qui noster est socius, cum quo nobiscum totus orbis, commercio formatarum in una communionis societate concordat. Vestræ Cathedræ vos originem reddite qui vobis vultis sanctam ecclesiam vindicare." Lib. ii. cap. 4, p. 32.

‡ "St. Cyprian Vindicated, against certain misrepresentations of his doctrine in a work by the Rev. G. A. Poole." Norwich, 1839, p. 64.

Church had the marks or properties of the Catholic, St. Optatus never once intimates that he had removed the question from Africa to Rome. For it is evident that he wrote his work for the conviction of the African Donatists, and naturally selected arguments applicable to them. So his marks of the Church are such as would apply in any country. Now, after he has given the argument we have just seen from the chair of Peter, he introduces, simply as an objection to the argument, the Donatists' assertion that they too had a Church and a chair at Rome. "But you also say," he writes, "that you have some part in the city of Rome."* Surely this is not the way in which the main argument is likely to be introduced. It is evidently nothing more than an objection, which the writer thinks might be thrown in by the adversary, and which he thinks it right to remove before proceeding with the argument. Accordingly, the father shows how little right the Donatists have to consider their African bishop resident in Rome the true representative of the apostolic see, and then concluding that Peter, the "Prince of the Catholics," (*Nostrum Principem*), had alone the keys given him, he proceeds with the argument on general grounds, by no means applicable to Rome alone. Yet, throughout he continues to argue against the Donatist schism in general, as separated from the chair of Peter, and thereby at once condemned; "*Unde est ergo quod claves regni cœlorum vobis usurpare contenditis, qui contra cathedram Petri . . . sacrilegio militatis?*"† Nay, he even goes farther than this. He had proposed five marks of the true Church, whereby it could be distinguished from all schismatical congregations. The first is the one we have seen, the chair, and he concludes that this is proved to be exclusively his side's, through the chair of Peter. "*Igitur de dotibus supradictis cathedra est, ut diximus, prima, quam probavimus per Petrum nostram esse.*"‡ This surely could not be said, if, as Mr. Poole supposes,§ the argument was only of use against Macrobius and his miserable handful of lurking sectarians in Rome. Then, what is still more important, St. Optatus hardly touches upon several of these marks, but contents himself with asserting that he has proved his Church to possess them, through

* "*Sed et habere vos in urbe Romæ partem aliquam dicitis.*" Cap. iv.

† "*How is it that you should attempt to usurp the keys of the kingdom of heaven, who are engaged in sacrilegious war against the chair of Peter?*" Cap. v.

‡ "*Therefore of the above-rehearsed properties, the chair is the first, which we have proved to be ours through Peter.*" Cap. vi.

§ Ap. Husenbeth *ubi sup.*

the chair of Peter : “et per cathedram Petri quæ nostra est, per ipsam et ceteras dotes apud nos esse.”* By proving therefore this one point, he considered the argument as satisfactory, as if he had fully demonstrated each of the other marks to belong exclusively to his Church. Farther, we will observe, that these characteristics of the true Church were not originally proposed by St. Optatus, but by his Donatist adversary.† Now it is not probable that he should by “cathedra” have meant the see of Rome, which they could not, without consummate impudence, pretend to claim ; particularly, as we shall see that it was part of their tactics to keep the question on African ground, and decline all reference to the state of foreign Churches. In fine, we find St. Augustine employ the same argument from the succession in the Roman see, where certainly there can be no room for Chillingworth’s exceptions. For this Father composed a rude poem, or psalm, which might be sung by the common people of Africa (for he always speaks of other Churches under the title of transmarine) and in this he gives, as the principal evidence against the Donatists, the succession of bishops in the chair of Peter. These are his words :

“ Venite fratres, si vultis ut inseramini in vite,
Dolor est cum vos videmus præcisos ita jacere.
Numerate sacerdotes vel ab ipsa Petri sede,
Et in ordine illo Patrum quis cui successit videte.
Ipsa est petra, quam non vincunt superbæ inferorum portæ.”‡

3. It will not, therefore, be surprising to see how, in practice, this simple rule was adopted, for at once ascertaining who were the Catholics, and who the schismatics. St. Ambrose informs us that his brother Satyrus, not yet partaker of the sacred mysteries, being in imminent danger of shipwreck, tied the blessed Eucharist round his neck in an *orarium* or scarf, and fearlessly committed himself to the waves. Arrived on shore, and having experienced the efficacy of this great sacra-

* “And by the chair of Peter which is ours, by it the other properties are with us.” Cap. ix. p. 38.

† “Videndum ubi sunt quinque dotes quas tu sex esse dixisti.” Lib. ii. cap. ii. St. Optatus afterwards tells us which he excluded to reduce them to five, which, consequently, he admitted. Cap. viii.

‡ “Come, brethren, if you wish to be engrafted in the vine,
It grieves us to see you thus lie cut off.
Number the priests in the very chair of Peter,
And see in that order of fathers who succeeded the other.
This is the rock which the proud gates of hell overcome not.”

Contra partem Donati Psalmus versus *ita*.

ment, when thus externally applied, he concluded how much more excellent its virtue must be, when actually received into the breast, and therefore ardently desired to be partaker of it. But the schism of Lucifer prevailed in that country; and, therefore, he resolved to be cautious how he communicated with the clergy. “He sent for the bishop, nor did he think there was any true grace save that of true faith. He asked of him whether he agreed with the Catholic bishops, that is with the Roman Church.”* Such was the simple test, which one, not yet initiated in the mysteries of Christianity, had learnt; he did not enquire into the succession of that particular Church or see, nor whether it taught all that is declared in the creeds, nor whether it was “an independent branch of the Church Catholic;” but simply whether the bishop who came to him kept, or not, communion with the Roman Church. Had Satyrus thus been cast in our days upon the shores of England or Ireland, he certainly would have rejected the ministry of the Establishment-bishops, who claim their rights upon the pretended grounds just rehearsed, and would have admitted the bishop, or vicar, or priest, who could alone have answered affirmatively to his one simple question. Another instance of the application of this easy test, we have in the life of St. Fulgentius, written by his disciple. As he was proceeding to the deserts of Thebais, to study virtue from its celebrated anchorites, the Bishop Eulalius thus addressed him: “You do right thus to aim at perfection; but you know, that without faith it is impossible to please God. The countries which you desire to visit, a perfidious dissension has separated from the communion of the B. Peter; all those monks, whose wonderful abstinence is celebrated, have not the sacrament of the altar in communion with you Return, my son, lest, for the sake of perfection of life, you incur danger of right faith.”† Thus we see, how, even in Egypt, communion with the see of Rome was at once a sufficient test of orthodoxy and participation in the communion of the Catholic Church. It is hardly necessary for us to cite the well-known words of St. Jerome,

* “Advocavit ad se episcopum, nec ullam veram putavit, nisi veræ fidei gratiam: percontatusque ex eo est, utrumnam cum Episcopis Catholicis, hoc est cum Romana Ecclesia conveniret.”—De obitu Satyri Fratris.

† “Recta facis cupiens meliora sectari; sed scis quoniam Deo sine fide impossibile est placere. Terras ad quas pergere concupiscis a communione B. Petri perfida dissensio separavit; omnes illi monachi quorum prædicatur admirabilis abstinencia, non habent tecum altaris sacramenta communia Revertere, fili, ne vitæ melioris intuitu periculum rectæ fidei patiaris.”—Apud Bolland. 1 Jan. cap. 12.

who, by the same process, resolves the complications of a manifold schism, and decides who is right. “Hinc in tres partes divisa Ecclesia ad se rapere me festinat Ego interim clamito : si quis Cathedræ Petri jungitur meus est : Meletius, Vitalis, et Paulinus tibi” (the pope), “hæerere se dicunt ; possem credere si hoc unus assereret : nunc autem duo mentiuntur aut omnes.”* Nay, so well understood was this rule, that Eusebius gives an instance of its application by a heathen emperor. For when Paul, of Samosata, had refused to obey the decree of deposition pronounced against him by the Council of Antioch, or yield his see to Domnus, the case being referred to Aurelian, he decided that he should be held the true bishop, who had letters (of communion) from the bishop of Rome.†

4. This principle, however, was not merely adopted for convenience of application, as affording a rule, which rude and unenlightened minds could supply, but it was followed by the highest dignitaries of the Church on the most solemn occasions. The Council of Constantinople, under the patriarch Mennas, lays down this rule : “We follow and obey the apostolic see ; and those who are in communion with it, we hold in communion ; those whom it condemns we likewise condemn.”‡ We have another remarkable declaration of John, patriarch of Constantinople, who, writing to pope Hormisdas, protests that he follows in all things the apostolic see, and preaches all that it has decreed, and therefore hopes to be in one communion with that see, “in which is the entire and perfect solidity of the Christian religion.” Should any one assert that this is said only under the circumstance of the pope’s being at that time acknowledged orthodox by the rest of the Church, and does not contain the maintenance of a principle applicable to all possible cases, we beg him to attend to the words which immediately follow : “Promising for the future, that whoever are separated from the communion of the Catholic Church, THAT IS WHO CONSENT NOT IN ALL THINGS WITH THE APOSTOLIC

* “Hence the Church, divided into three parts, strives to drag me, each to itself In the meantime, I cry out, If any one is joined to the Chair of Peter, he is mine. Meletius, Vitalis, and Paulinus say that they cleave to you. I might believe it, if one said it ; but now two of them, or all three, speak untruly.” Epist. to. lv. 13. Ed. Maur.

† Ap. Euseb. H. E. Lib. vii. cap. 30.

‡ Ἡμεῖς γὰρ . . . τῇ ἀποστολικῇ θρόνῳ ἑξακολουθοῦμεν τε, καὶ πειθόμεθα, καὶ τοὺς κοινωνικοὺς αὐτοῦ κοινωνικοὺς ἔχομεν, καὶ τοὺς δὲ π’ αὐτοῦ κατακρίνομεν καὶ ἡμεῖς κατακρίνομεν. Labbe Conc. Tom. v. col. 92.

SEE, their names shall not be recited in the sacred mysteries,"* the ordinary mark of communion. This at once excludes all idea of the possibility of the see of Rome, or those in unity with it, being considered heretics or schismatics, as the *Tracts for the Times*, professing to deliver the doctrines of antiquity, would pretend is now the case. As we are treating of this great pope, we cannot help turning the reader's attention to another letter, from the bishop of Nicopolis, to him, in which he holds even stronger language. But as it refers more to the jurisdiction of the pontiffs over the entire world, and to their infallible authority in teaching, than to the necessity of union with them, we will only refer to it in general terms.† St. Gregory the Great has preserved the formulary signed by bishops reclaimed from schism. "I a bishop . . . willingly and spontaneously have, by the divine grace, returned to the unity of the apostolic see; and . . . I pledge myself, under pain of forfeiture of my order, and under the penalty of anathema I promise to thee, and through thee to St. Peter, the prince of the apostles, and to his vicar, the blessed Gregory, or his successors, never to return to the schism . . . , but always to remain in the unity of the holy Catholic Church, and the communion of the Roman pontiff."‡

We have thus seen the two grounds on which the ancient Church mainly supported an accusation of schism; the two rules which it gave to the faithful for deciding when they were to continue in communion with a body of Christians, however great and however national, who claimed their obedience or their communion. They had not to perplex themselves with doctrinal points, or controversial subtleties—they had simply to ascertain, *first*, whether or no these were held in communion by the rest of the Church, that is by the aggregate of Churches dispersed over the world; and, *secondly*, whether they adhered to the apostolic Roman see. Wherever they

* "In qua est integra Christianæ religionis et perfecta soliditas . . . Promittentes in sequenti tempore, sequestratos a communione Ecclesiæ Catholicæ, id est in omnibus non consentientes sedi Apostolicæ, eorum nomina inter sacra non esse recitanda mysteria." Ibid. tom. iv. col. 1487.

† Ibid. col. 1438.

‡ Ego Episcopus . . . prona et spontanea voluntate ad unitatem Sedis apostolicæ, divina gratia duce, reversus sum . . . Et sub mei ordinis casu spondeo, et anathematis obligatione, atque promitto tibi, et per te S. Patri Apostolorum Principi, atque ejus Vicario Beatissimo Gregorio, vel successoribus ipsius . . . ad schisma . . . nunquam reversurum, sed semper me in unitate S. Ecclesiæ Catholicæ et communione Romani Pontificis permansurum. S. Gregorii, M. Opera, tom. ii. p. 1300, ed. Maur.

found these two conditions verified, there they were to join themselves: wherever they existed not, there was schism, and they were to have no part with those that formed it.* Now let us apply these two tests to the Anglican Church. In our first article above referred to, we proved, that it can shew no communion with the rest of the Christian episcopal world, even taking those criterions of that communion which its own approved divines have laid down. And as to the second condition, that of communion with the Roman see, we think there can be no hesitation what to decide, inasmuch as, by a formal act, the English Church, in 1534, disavowed all dependance upon it, and from that moment ceased to communicate with it. Certain it is, that *de facto* that Church has, since that time (excepting the reign of Mary,) held no unity or communication with either Rome or the rest of the Catholic world. And this has nothing to do with the question of doctrine, or any enquiry as to whether the body of the Catholic Church deviated from true faith at Trent, and rendered it imperative then to separate from it; an idea, however, incompatible with what we have already seen above, and much that we could add. For, the separation from unity took place before this, and had no reference to doctrine, farther than the exclusion of the supremacy on Scriptural grounds.† The Anglican Church, therefore, spontaneously constituted itself in a state of schism.

At the outset of this article, we assumed, as a point on which our principal adversaries would agree with us, that a Church, or portion of a Church, thus constituted in schism, however valid its ordination, could have no part in the apostolical succession. For the satisfaction, however, of such readers as may not be so well versed in ecclesiastical antiquities, we will now say a few words on the subject.

1. Schism is pronounced by the fathers a dreadful sin, whether in a Church or in individuals, who knowingly persevere in it. St. Augustine thus writes of it: “*Quod autem vos a totius orbis communione separatos videmus (quod scelus et maximum, et manifestum, et omnium vestrum est) si exag-*

* There is an interesting passage in St. Augustine, too long to quote (Cont. Lit. Petil. Lib. ii. cap. 125), in which he unites the two criterions of the Roman and the universal Church's communion, observing that the Church founded upon a rock, is not by reason of this foundation confined to one place, but is spread all over the world.

† See “Review,” vol. v. p. 298, note.—“No event in the history of England is marked by circumstances so peculiar as those which attended the separation of the national Church from the Romish communion.” “British Critic,” No. xlv. Oct. 1837, p. 300.

gerare velim, tempus me citius quam verba deficient.”* On another occasion, he calls it “sacrilegium schismatis quod omnia scelera supergraditur.”† St. Fulgentius, in the strongest terms, excludes all schismatics from eternal salvation.‡

2 Farther, they do not admit a possible case that can justify such separation: as they consider the evil done to the Church by schism sufficient to counterbalance any imaginary good to be gained, and equal to any real or imaginary evil to be thereby avoided. St. Irenæus says, that such persons swallow a camel while they strain at a gnat, “for no correction can be made by them equal to the bane of schism.”§ St. Augustine, speaking of converts made by the Donatists from heathenism, employs this severe language: “Itaque illos quos sanant a vulnere idolatriæ, gravius feriunt vulnere schismatis.”|| We refrain from farther quotations, which we could multiply to any extent.

3. Though the valid exercise of the sacramental power was allowed to such schismatics as preserved the lawful forms, yet its legitimate exercise was never acknowledged. St. Augustine makes the distinction respecting baptism: “Item alia duo dicimus, esse apud Donatistas, baptismum, non autem illic recte accipi.”¶ And, on another occasion, he says, of the same sacrament, that, in his opinion, when given under certain circumstances (not then cleared up by a general council), the sacrament would be valid, but “not profitable to life eternal, so long as they remained separated from the Catholic Church.”** Now, the same father repeatedly compares the sacrament of orders with that of baptism, illustrating the latter from the former: so that the same distinction between validity and

* “That you should be found separated from the communion of the entire world (which is a wickedness most grievous, manifest, and chargeable on you all), if I wished to show its aggravation, time would fail me before words.” Cont. Lit. Petil. Lib. ii. cap. 8.

† “The sacrilege of schism which transcends all crimes.” Cont. Epist. Parmen. Lib. i. cap. 4.

‡ “Firmissime tene et nullatenus dubites hæreticos atque schismaticos, qui extra Ecclesiam Catholicam præsentem finiunt vitam, in ignem æternum ituros.” De Fide ad Pet. Biblioth. Vet. Par. Tom. ix. p. 82, ed. Paris.

§ “Nulla enim ab eis potest fieri tanta correctio, quanta est schismatis perniciēs.” Lib. iv. cap. 33.

|| “Therefore those whom they cure of the wound of idolatry, they more grievously strike with the wound of schism.” De Baptismo cont. Donat. Lib. i. cap. 8.

¶ “Likewise two other things we say are among the Donatists; baptism, but that it is not there rightly received.” Ibid. cap. 3. He had just said that in the Catholic Church, “et esse baptismum, et illic tantum recte accipi.”

** “Quamquam eis ad vitam æternam non prodesset, si charitate caruissent qua Catholicæ insererentur Ecclesiæ.” Ib. Lib. vii. cap. 53.

lawfulness of exercise must be admitted. For instance, “*Nam sicut redeuntes, qui priusquam recederent baptizati sunt; non rebaptizantur; ita redeuntes, qui priusquam recederent ordinati sunt, non utique rursus ordinantur, sed aut administrant quod administrabant, si hoc ecclesiæ utilitas postulat, aut si non administrant, SACRAMENTUM ordinationis tamen gerunt . . . Nam neque SACRAMENTUM baptismi, nec SACRAMENTUM DANDI BAPTISMI . . . Felicianus amisit.*”^{*} Ordination, here pronounced a sacrament (contrary to the doctrine of the Anglican Church), is put on the same footing with baptism, in reference to the effects exercised on it by schism, and therefore, however validly, cannot be lawfully or profitably conferred in a Church separated from the unity of faith and religious communion. There is another passage, still more beautiful, that illustrates the doctrine of baptism by that of order and other sacraments, which we cannot forbear quoting, on account of its likewise contradicting the Anglican, and confirming the Catholic, doctrine of the sacraments. It is the following: “*Si ergo ad hoc valet quod dictum est in Evangelio, ‘Deus peccatorem non audit,’ ut per peccatorem sacramenta non celebrentur; quomodo exaudit homicidam deprecantem vel super aquam baptismi, vel super oleum, vel super Eucharistiam, vel super capita eorum quibus manus imponitur? Quæ omnia tamen et fiunt et valent etiam per homicidas . . . etiam in ipsa intus Ecclesia. ‘Cum nemo dare possit quod non habet,’ quomodo dat homicida Spiritum Sanctum?’*”[†] The distinction, therefore, holds good between the valid and the lawful exercise and bestowing of orders; so that the former may exist in a schismatical Church; the latter *never can*.

* “For, as those that return, who, before they separated, had been baptized, are not rebaptized, so they that return, who before they separated had been ordained, are not again ordained, but either resume the ministry they had before, if the service of the Church require it, or if they minister not, yet bear *the sacrament* of orders. For neither the sacrament of baptism, nor *the sacrament of giving baptism*, did Felicianus . . . lose.” Ibid. Lib. vii. cap. 2.

† “If, therefore, what is said in the Gospel that ‘God hears not sinners’ have this force, that a *sacrament* cannot be conferred by a sinner, how does he hear a murderer” (one devoid of charity, as the Father explains it) “praying either over the water of baptism, or over the oil” (confirmation) “or over the Eucharist, or over the heads of those on whom he lays hands” (orders)? All which, however, are done, and are validly done even by murderers . . . even within the Church itself. Since no one can give that which he has not, *how can a murderer give the Holy Ghost?*” Ibid. Lib. v. cap. 20. From which we draw two conclusions opposed to the doctrines of the Tracts, first, that order, as well as confirmation, is a true sacrament, that gives the Holy Ghost; secondly, that it has a form of words, and does not differ from the true sacrament, by consisting only in the imposition of hands. Cf. Tract, No. i. p. 3, v. 10; and Dr. Pusey’s Lett. Tr. vol. iii. p. 11.

4. Hence, St. Augustine has no hesitation in addressing the following strong language to the Donatist bishops: "If you ask me by what fruits we know you to be rather ravenous wolves, I object to you the crime of schism; which you will deny, but I will instantly prove; for you do not communicate with other nations, and with the Churches founded by the labour of the apostles."*

5. In fine, upon the return of any Donatist bishop to the unity of faith, the Church sufficiently showed how far it was from admitting any right in him to a place in the apostolical succession. The third Council of Carthage, in 397, decreed as follows: First, that what had been decreed in preceding councils be confirmed, "*ne quis Donatistarum cum honore suo recipiatur sed in numero laicorum;*" secondly, that an exception be made in favour of those who had never rebaptized, or who came over to the Catholic communion with their flocks. Thirdly, it was deemed advisable that this decree should not be finally confirmed till the judgment of the transmarine or Italian Church had been obtained.† This was similar treatment to that of the Meletians and Novatians, mentioned in our former article.‡

The voice of antiquity is, therefore, clear and loud upon the claims to apostolical succession of any Church involved in schism, that is, which is not in communion with other Churches, and especially with that of Rome. Implicated in a crime which no possible circumstances can justify; exercising their functions, even when validly, still without profit to the souls of men; styled wolves rather than shepherds; admitted into the Church only as laymen,—can bishops so characterised have been considered by the ancient Church descendants and representatives of the apostles?

Our argument ought naturally to close here; but the lessons furnished us by the Donatist schism are not ended. We will, therefore, beg our readers' farther indulgence, for several

* "*Si autem a me quæras quibus fructibus vos potius esse lupos rapaces cognoscamus, objicio schismatis crimen, quod tu negabis, ego autem statim probabo; neque enim communicas omnibus gentibus, et illis ecclesiis apostolico abore fundatis.*" Cont. Litteras Petil. Lib. ii. cap. 16.

† Labbe, tom. iii. col. 1181. St. Augustine thus speaks of this matter, acknowledging the validity of Donatists' orders,—not because hands are imposed, which the theory of the *Tracts* requires, but because a proper *form* of words was used. "*Et de episcopis quidem vel clericis recipiendis, alia quæstio est. Quamvis enim, cum apud vos ordinantur, non super eos invocetur nomen Donati sed Dei, tamen ita suscipiuntur ut videtur paci et utilitati Ecclesiæ convenire.*" Cont. Cresconium Grammat. Lib. i. cap. 11.

‡ Vol. v. p. 289.

remarkable points of resemblance, not yet noted, between the former schism, and that which unfortunately separates our country from the universal Church.

1. It is singular that, in process of time, there sprung up among the Donatists a High-Church party, the most distinguished of whom seems to have been Ticonius. He saw the absurdity of excluding the numerous Churches dispersed all over the world, from the pale of Christ's true Church, one of whose principal attributes he perceived was universality. This Ticonius demonstrated with great learning and acuteness; but remained blind to the natural consequences to be drawn from his views, namely, that his own Church was schismatical, and that it was his individual duty to abandon it, and become a Catholic. His fellow-churchmen, however, saw this—the Fausetts and Shuttleworths of their day—they were aware that his principles, pushed to their legitimate consequences, would necessarily lead to the abandoning of *Africanism*, and the embracing of Catholicity. Parmenianus was the champion, who undertook to chastise the audacity of this reformer; and not content with writing a letter or pamphlet against him, he had him condemned by a council of his Church. Parmenianus seriously warns him of the danger of maintaining, as he did, that foreign Churches, in communion with Rome, formed part of the true Church of Christ. The Catholics, however, were not slow to step in between the disputants; and giving due commendation to the learning and good intentions of Ticonius, took proper advantage of the truth he had discovered. St. Augustine placed the shield of his vast genius over him, and defended him against Parmenianus.*

2. The High-Church divines in England maintain that the Irish and English Catholics are schismatics, because they “separate themselves from the Anglican Church, and make congregations contrary to their canonical bishops.”† The answer to this assertion resolves itself into the enquiry, whether one is bound to prefer the communion of the universal Church out of one's own country, to that of bishops in it, (all questions of doctrine being left aside,) who are not in that communion. This is a case particularly applicable to Portugal at this moment, as it was to England at the time of the Reformation, more than now. Well, St. Augustine seems to have had no doubt on the subject. He observes that Ticonius did

* Cont. Epist. Parmen. Lib. i. cap. 1.

† “British Critic,” No. xl. p. 435. “Dub. Rev.,” vol. iii. p. 73.

not perceive the true consequence of his own principles ;—but we must give the holy Father's own words : “ Non vidit quod consequenter videndum fuit, illos videlicet in Africa Christianos pertinere ad Ecclesiam toto orbe diffusam, qui utique non istis ab ejusdem orbis communione atque unitate sejunctis, sed ipsi orbi terrarum per communionem connecterentur. Parmenianus autem cæterique Donatistæ viderunt hoc esse consequens.”* It is therefore our duty to preserve communion with the general Catholic church, rather than with the particular church of our country, when that has separated itself from that communion.

3. The writers in the Tracts for the Times, seeing how the argument which they make against English Catholics can be well retorted against French Protestants, are anxious not to introduce into the controversy at home the question of foreign Catholics and separatists from them.† We observe a similar solicitude in the Donatists of old. Emeritus, one of their bishops, thus expresses this feeling at the conference of Carthage. “ Intelligit præstantia tua nihil nobis de peregrinis, nihil nobis de longe positis præjudicare posse, cum inter Afros hoc negotium ventiletur.”‡

4. The same Tracts consider the Catholic bishops as intruders, because sent where there were already bishops in quiet and legitimate possession.§ The same complaint was made by the Donatists, that the Catholics sent bishops into dioceses in their possession ; which proves, that the Catholics then believed themselves to have the same rights as they have later exercised. Petilianus complains, that in the diocese of Milevis, they had erected three new bishopricks, and that in his own, Delphinus had been appointed in opposition. || At the same time, the Catholics severely reprov'd the Donatists for appointing one of their bishops to a see where there was already one in communion with the rest of the church beyond the seas.¶ This will apply to the Irish Protestant hierarchy, as the former

* “ He did not see what as a consequence he should have seen, that those Christians in Africa belonged to the church spread over the whole world, who, indeed, were not connected with those, who were separated from the communion and unity of that world, but were united by communion with the world itself.” “ Parmenianus and the other Donatists saw this consequence.” *Ibid.*

† Tract 4, p. 6. “ Neither do we desire to pass any sentence upon persons of other countries.”

‡ “ Your Excellency understands, that nothing from strangers, nothing from persons living far off, can prejudice us, since this cause is between Africans.” *Gesta Collat. Dies 3, No. 99, ad Calc. op. S. Opt.*

§ Tract 35. || *Gesta Collat. Dies 1. Ubi sup. p. 258.*

¶ *St. Aug. contra Epist. Parmen. lib. i. cap. 3.*

principle will to the English. In the canonical code of the African Church, we have a decree of a provincial council that, dating from a certain period, the Catholic bishops had to claim jurisdiction over the dioceses held by the Donatists, whether converted to unity, or not.* This shows, in how little esteem was held a bishop's authority, who communicated not with the rest of the church.

5. We have been struck how the Donatists, while they did not relish this name, had no objection to the national appellation of *Africans*, the *African Church*, which is consequently often applied to their party by the Fathers, without any offensive meaning: at the same time that the latter gloried in bearing no other appellation but that of *Catholic*. In like manner, the denomination Anglican, is assumed by our High-Churchmen, and we willingly accord it; at the same time, we repudiate every designation, save that of *Catholic*.

6. In fine, as from the great Donatist church we have seen how many dissenting sects sprung up, and have therein traced no small resemblance to the fate of the Anglican, so have we a counterpart to our conduct towards this, in the conduct of the Fathers towards the former. For, the great body of the Donatists immediately treated those separatists as schismatics, and severely denounced against them the penalties of schism, precisely as the Tract-writers deal with dissenters from the Anglican church.† St. Augustine thus retorts upon the Donatists what they said of their separatists: “Cui enim unquam schismatico suo pepercerunt, qui sibi ab orbe terrarum, cujus ipsi schismatici sunt, nimis impudenter parci volunt? cum a vera sola ipsa unitate justissime schismata puniantur, si eo modo ista punienda sunt.”‡ This is a severe retort, but not more severe than we have a right to make in our days. The Council of Carthage, seeing the advantage which this argument gave the Catholics, decreed, that envoys should be sent among the Donatists, expressly to inculcate it; since, “by it is demonstrated, if they will but attend to it, that it was as wicked for them to be then cut off from the unity of the

* Integer Cadex Canonum Eccl. Afric. ap. Labbe, tom. iii. col. 1116.

† See Tracts 2, p. 3; 4, p. 5; and 29.

‡ “For what schismatic from themselves did they ever spare,—they who too impudently wish to be spared by the entire world, from which they are schismatics? whereas, only by the true unity, schisms are most justly punished, if, indeed, they are to be punished in that manner,”—that is, by appeal to the civil power, which this Father strongly blames in them. This constant eagerness for the exclusive support of the civil magistrate, might have formed another point of contrast between the African and Anglican churches. Ubi sup. lib. ii. cap. 13.

Church, as they now cry out that it was wicked in the Maximianists to make a schism from them."* For Maximianists, read Wesleyans, or Quakers, and you have an exact answer to the complaints in the Tracts. On another occasion, writing to some Donatists, he bids them contrast the great body of bishops from which they separated, with the small number from which *their* schismatics departed. "Multum quidem interest et incomparabiliter distat vel auctoritate vel numero Africana Ecclesia" (observe the name) "si cum ceteris orbis partibus conferatur; et longè minor est, *etiamsi unitas hic esset*, longe omnino minor est comparata ceteris christianis omnibus gentibus, quam pars Maximiani comparata parti Primiani."† Here is an argument well fashioned to our hand to be wielded at pleasure against the arrogant pretensions of the Anglican High-Churchmen, when they on the one hand charge others with the mote of schism from a national church, seeing not the beam of schism from the universal church, which fearfully presses on their own cause. Truly, if we would but fill our quiver from the armoury of the Fathers, we should find no difficulty in piercing any mail of proof in which our adversaries may think proper to encase themselves. There is not an argument, a cavil, which they can use, that will not be found answered by anticipation, in the writings of the venerable lights of the ancient Church. Hence, we augur results most favourable to the cause of truth, from the publication of the Fathers, in a form accessible to ordinary readers.

There is one view of the apostolical succession, taken by the authors of the Tracts, which we most cordially admit, because conformable to the doctrine of antiquity. It is that explained in the fifty-fourth Tract, p. 4, in these words: "How had the right interpretation of Scripture been preserved in each of those places?" (Rome, Corinth, &c.) "By the succession of bishops, each in turn, handing over to the bishop that followed him, what he had himself learned of his predecessors." Thus, it appears that the apostolical succession, where it exists, is a guarantee to the faithful, that the same doctrine is

* "Ubi eis demonstratur, si attendere velint, tam inique tunc illos ab Ecclesiæ unitate præcisos, quam inique nunc clamant a se Maximianistas schisma fecisse." Conc. Carthag. Africæ univ. ad Calc. S. Opt. p. 211.

† "There is much difference and an incomparable distance in number or authority between the African church, and the remaining parts of the world: and it is far smaller—supposing unity to exist in it—it is, indeed, far smaller, compared with all other Christian nations, than the party of Maximianus is, compared to that of Primianus." Epist. xliii. ol. clxii. cap. 9.

taught which has been taught from the beginning. Now, if we apply this test to the Anglican Church, how certainly it must fail ! For it is as clear as noon-day, that the bishops, after the so-called Reformation, taught the doctrine *opposite* to that of their immediate predecessors. Cranmer, for instance, blasphemed Transubstantiation under Edward, which had been taught in his see till his time. Where, then, is that evidence of such succession, which perseverance in the same doctrine ought to afford ?

We here close our article, not from want of materials, but from fear of wearying. We do not engage ourselves to pursue our controversy with the authors of these Tracts any farther, in this form. Perhaps it may merit a more complete and systematic arrangement, than separate articles in a Review can supply. We are sensible that we have left unredeemed one or two pledges given at the close of our former article. The growth of more important materials, as we advanced, must be our apology. Still, a pledge thus given, may act as a stimulant to us to resume our periodical strictures upon the theological labours of the High-Church divines, should the Catholic public approve the present plan, and lead us to comment on a few more at least of the innumerable fallacies which pervade their productions.

ART. VII.—*Essays on Natural History, chiefly Ornithology.*

By Charles Waterton, Esq., Author of “*Wanderings in South America.*” With an Autobiography of the Author, and a view of Walton Hall. Second edition, London : demy octavo. Longman and Co., 1838.

IT is now twelve or fifteen years since Mr. Waterton published his *Wanderings in South America*. Since that time, a number of pieces from his hand have appeared in various periodicals ; among the rest, the pieces which form the present collection were published by Mr. Loudon, at different times, in the Magazine of Natural History. Mr. Loudon has now collected them together in one volume. The autobiography of the author appears, we believe, for the first time.

Mr. Waterton is one of our best writers on *Natural History*. His *Wanderings* are the most faithful account we have of the natural history of the countries he visited : indeed, of the interior of Guiana and the adjoining tracts, now forming part of Brazil, he is still the only author we have. Our

knowledge of Guiana had been confined to the coast of Dutch and of French Guiana. The work of Depons, the French agent, is geographical and commercial, and chiefly confined to New Grenada: the history of the expedition against the negros of Surinam, by Stedman, an excellent work, is chiefly historical: the Paris naturalists, who have paid a good deal of attention to the natural history of Dutch and French Guiana, and Cuvier, who has profited by the specimens which exist in Paris in great abundance, had not extended their researches farther; but Mr. Waterton has introduced us into the deepest recesses of those regions, and laid open to us the boundless stores of their natural history.

He was just the man for the undertaking. To him, no forests were too boundless or too gloomy. No bogs, no swamps or marshes, no inundations, could check his enterprize. He had nerves formed of such happy cordage, that he could sleep in the trees amidst the howls, hisses, and screams, that were going on all night. The encampments and yells of the savages did not daunt him: nor the wild beasts, nor serpents. To him, no mountains were too steep, no trees unclimbable, no rivers or gulphs impassable. He had a taste for the beauties and wonders of nature from his childhood: he had a natural turn for enterprize and adventure. He had received an elegant and classical education; his associations and feelings were those of a gentleman: his mind was cultivated, and his fortune easy. To him, no climate was too hot: his spirits were light, and he had great ardour in pursuit of his favourite science.

Such was the man who set out on an expedition to the unexplored regions of Guiana. In his *Wanderings*, he has given us an account of his adventures.

His style is remarkably clear. It is pure, elegant and emphatic. There is a vein of cheerfulness and happiness of disposition which keeps the reader in good spirits through the varied scenes of the narrative: there is a fellow-feeling for animated nature, which is very interesting and even affecting: an enthusiasm, (and without something of enthusiasm, the best style of writing and the most valuable information, is sometimes very heavy, and a drag upon the reader's mind) an enthusiasm which enlivens, but never misleads him.

The researches of Mr. Waterton, and his writings, have done a great deal towards the advancement of natural history in this country. We are improving in natural history very perceptibly. It is hardly thirty years, since several works on

natural history; after a volume or two, or a few numbers had been published, were abandoned for want of public encouragement. But the public taste is now improved. We have excellent writers on the subject, and they meet with public patronage: we have large and excellent collections of specimens, particularly in the British Museum;—Mr. Waterton's collection,—the Manchester collection: we are also acquiring a taste for the charms of living nature in aviaries, zoological gardens, and menageries, such as the gardens in the Regent's park, the Surrey gardens, the Manchester and Liverpool gardens. Besides, noblemen and private gentlemen, now take a pleasure in forming aviaries and similar establishments, as the Earl of Derby, the Duke of Northumberland, and others. Again, gentlemen residing in foreign countries, in military, naval, or commercial capacities, also devote some of their leisure time to pursuits, by which they at once adorn their own minds, and contribute to the improvement of literature and science.

In this manner, natural history is improving in all its branches. Ornithology, among the rest, to which Mr. Waterton has particularly applied himself, has advanced rapidly. This is especially the case with regard to the ornithology of three extensive countries, India, North America, and the South of Africa. So much has been done in those quarters, that, in all probability, not much now remains to be done. A great deal has been done for other countries also: the history of the birds of our own islands is now completely cleared up; and that of France, is considered by the French as in a state of perfection. In the ornithology of the West Indies, of Mexico and Peru, and of the western coast of Africa, a good deal has been done.

In the meantime, three splendid fields for discovery, affording an almost boundless range for this charming study, have been thrown open. Brazil; the countries lying north of India, including the Himalay mountains, Tibet, &c.: and thirdly, the vast islands of the Indian ocean, New South Wales, &c. For, whilst we are introducing our commercial communications and our national power into Nepaul, Chabul, and across the Himalay mountains into Tibet; whilst we are colonizing and civilizing New South Wales, science is also visiting those sunny regions, and, with pencil in hand, is taking faithful and beautiful drawings of every thing new: and not only that, but as Columbus sent to Ferdinand and Isabella, hampers, containing the fruits of the newly-discovered

countries, so are science and enterprize, every day and by every tide, forwarding to us specimens of the productions of nature in those climates;—productions, of which our fathers had no knowledge, nor we ourselves, till the other day.

It was only in 1801, that the public press were holding up to laughter the existence of the cameleopard or giraffe, as a ridiculous piece of credulity, and a little earlier, in the same reign, a writer in the *Gentleman's Magazine*, had placed the rhinoceros and the chameleon on the same fabulous shelf with the griffin, the chimæra, and the phoenix. We know not what excuse the unbelievers of that reign would resort to, if they could see our zoological gardens in the Regent's Park; and the female giraffe, with her young one; Mr. Waterton's collection at Walton Hall; the collection of birds from the Himalay mountains in the Manchester collection, or the Jardin des Plantes at Paris.

Another cause of our improvement in natural history is, that we now have several excellent writers in it. In the department of ornithology, besides Mr. Waterton, we have Wilson, Bewick, Laytham, White of Selbourne, Sir William Jardine, Selby, Mudie, and others.

White's *Natural History of Selbourne* is a delightful performance. He treats his subject in a very temperate manner, but he is a true admirer of nature.

Bewick is inimitable in his way. He is an original genius. His woodcuts have a fidelity which is quite wonderful: he has a happy knack of taking off the habits, manners, expressions and vitalities of the animal kingdom, their haunts, &c. His accounts are always authentic and faithful, always temperate; he is never led away by theories: a close observer of nature: in "bog-education," as Mr. Waterton calls it, Bewick is a perfect scholar. He writes English with great purity, clearness and ease. He is always interesting, even without taking into count the head and tail-pieces, which are the best part of his works, and which are very amusing. He had no turn for inanimate nature, as is evident from his woodcuts to Dr. Thornton's *Herbal*. The Doctor's work is considered a good one, but the woodcuts are a failure.

Wilson is another finished scholar in bog-accomplishments. There is a charm in his manner of writing peculiar to himself. His style and his descriptions have a brilliancy and a truth of colouring which can only be got by dipping his pencil into nature's colours. He is without art: so much the better: art, theory, and book-knowledge, are the bane of natural his-

tory. Mr. Waterton says somewhere, that he wrote his *Wanderings* without a single book, in the midst of the forests. Pray, what book could be wanted by him, who had the forests of South America all around him, and the birds and beasts all alive and free in their native haunts and habits beside him? The great value of his book of *Wanderings* is exactly, that it was written in the forests: and the great value of the book which Mr. Loudon has just republished, is exactly this, that it was not picked from the Reviews and Dictionaries in the library-room at Walton Hall, but copied direct from nature's pages in the woods, gardens, preserves, rookeries and ponds which adjoin that mansion. Why do we value Wilson, Bewick, and White, so much? Because they are scholars in the great university of the bogs, the forests, and the mountains.

Sir William Jardine excels in the beauty and singular exactness of his coloured engravings, and in the minuteness, exactness, and authenticity of his descriptions. His coloured engravings are a museum. How he has moulded and combined his colours so as to imitate to such a nicety the glossy and metallic tints (of the humming birds, for instance), we know not. It would lead one to insert another probable cause of the improvement of natural history, that is, improvement in engraving, drawing, and colouring, especially in copying life, with its habits, tints, and shades. Here Sir William Jardine excels: he surpasses all who have gone before him. Dr. Shaw's work is well executed, no doubt; but when the engravings are uncoloured, they are not of much use: the coloured copies, when complete, are frightfully expensive. After all, they are much inferior to Sir William's, especially in the two points just mentioned, the art of breathing into them the breath of life, though this is pretty well done in Dr. Shaw, compared to most works of the kind: and in skill in finding colours. This is not so well done. As to many of the metallic tints, and the compound shades which exist upon the necks and scapulars of many birds, the Doctor's *collaborateurs* do not come off with success. Even the parrots, which are not in general very difficult to colour, are frequently quite missed: this arises either from some defect in the box of colours, or rather from want of skill in producing compound shades and compound tints. Sir Wm. Jardine has succeeded in these particulars, which, alone, would give great value to his publications. Unfortunately the style of Sir Wm. is dry and stiff.

Mr. Prideaux Selby delights and excels in the glowing and splendid pencilwork of nature. Where nature is brilliant,

he is brilliant; where she is gorgeous, he is gorgeous too. His works are rather suited to public institutions, than to private fortunes.

Another cause has, undoubtedly, had its share in promoting natural science: we mean patronage, or, at least, a cessation of hostility, on the part of the government and legislature. As we now visit the British Museum and Westminster Abbey, without being ground down by extortion (this extortion used formerly to exclude the great bulk of the public), so in other respects, though no great encouragement is given to science in a direct and positive manner, still no obstacles are thrown in the way, as heretofore. This leads us to recall to our recollection the treatment Mr. Waterton met with, on his return from Guiana, from the Lords of the Treasury, on occasion of his landing his specimens, hardly one of which had ever been brought into Europe before. This is a subject on which Mr. Waterton is much out of temper. Several passages of this kind occur in his book, especially in the autobiography. They take off very much from the pleasure of perusal. He forgets, in these instances, his position as an elegant and instructive writer, to turn aside to angry ebullitions on public affairs, and to drag his reader away with him from the tranquil scenes of natural history. It is, perhaps, to be expected from a mind ardent and sensitive. The behaviour of the Lords of the Treasury was mean and contemptible: we wish our naturalist had borne it with more dignity; but recent failure of our own in a similar application for their patronage of science, makes us charitable towards Mr. Waterton.

Mr. Waterton's strong point is actual observation. He differs in this particular from all other naturalists. He does not, like them, devote a portion of the day to excursions for the purpose of exploring the haunts, studying the manners, the genera and species, of birds or animals, returning in the afternoon to a comfortable dinner, and then retiring to rest, with all the comforts of a bed chamber. But Mr. Waterton stands alone here. If he studies the eagles, he becomes a dweller upon the mountains where the eagles dwell, and sleeps upon the cliffs and promontories where the eagles sleep; he becomes, like him that was described of old, "the brother of dragons and the companion of ostriches;" he studies the songs of the birds where the songsters have the wilderness to themselves; he learns their food, by feeding himself upon the same berries; he learns their season for building, their manner of nest-making, their eggs, &c., because he has his own nest, his hammock, swung upon the same tree; he learns all their ways

and customs, because he lives among them day and night, takes the same shelter from the rain, quenches his thirst at the same river; having no candle, he goes to rest at their hour for retiring, and he rises with them by the light of the sun the next morning. Some of them live and bask in the brightest sunshine they can find; he comes and takes up his quarters in the same place: others dwell in the deep and gloomy recesses of the blackest shades; if so, he shifts his quarters and goes to them: some also live, as the water-fowl, in the bogs, marshes, and fens, among chills and fogs, and he is not afraid to visit them. In short, he is a privileged man. This it is that gives the chief value to his writings and discoveries.

In the work before us, Mr. W. has devoted several articles to attacks upon Mr. Rennie, and to refutations of Audubon, the American writer, who visited this country some time ago. Audubon is a rash author, and frequently off his guard: he is not a good observer; takes things up hastily; and is too fond of generalizing and theorizing. But Rennie is an agreeable and instructive writer: his misfortune is this, that he has in several places been misled by his authorities.

Accordingly, the first essay is directed against Mr. Rennie's mistake in being led into the supposition that birds in covering their eggs during absence, do so for the purpose of preserving the warmth of the nest. It is generally supposed that this is done for the purpose of concealment.

The second essay defends the barn-owl from the charge of being destructive. Mr. Waterton has proved his point by actual experiment.

The third is on the subject of smell in the vulture. Audubon, it seems, maintains, from a course of experiments, that the vulture is not led by any powerful sense of smell, as is generally supposed. Mr. W. is strongly opposed to this statement. Certainly, the Italians and Swiss consider the vulture to possess extraordinary powers of smell.

The fourth and fifth arise out of the same subject, and Wilson, Humboldt, and Azara are brought as authorities against Mr. Waterton. "Wilson was never in Guiana," says Mr. W.; "as for Humboldt, I cannot think of submitting to his testimony in matters of ornithology for one moment. The avocations of this traveller were of too multiplied a nature to enable him to be a correct practical ornithologist. Azara is totally unknown to me."

We do not find any passage in Wilson which contradicts Waterton; but the following occurs in Jameson's edition of 1881, vol. ii. p. 5. "Their sense of smelling is astonish-

ingly exquisite. They never fail to discover carrion even when at the distance of several miles." Azara is an excellent and valuable writer. He is, like Mr. Waterton, a bog-student. He visited the south of Brazil, Monte Video, Buenos Ayres, La Plata, and Paraguay. His work has never been published entire, but Cuvier published the three first vols. at Paris: the first in 1809, the other two afterwards. Another portion of his work, in Spanish, was translated by Sonnini, and published by him, with a volume of plates. This volume relates chiefly to birds. Azara went out to La Plata, in 1781, and lived in that country above twenty years. Whether there is any passage in his work in which he gives an opinion contrary to Mr. Waterton, we cannot find.

At page 70, we have an article on the curious subject of the vampire.

"A gentleman, by name Walcott, from Barbadoes, lived high up the River Demerara. While I was passing a day or two at his house, the vampires sucked his son (a boy of about ten or eleven years old), some of his fowls, and his jackass. The youth showed me his forehead at daybreak; the wound was still bleeding apace, and I examined it with minute attention. The poor ass was doomed to be a prey to these sanguinary imps of night; he looked like misery steeped in vinegar. I saw, by the numerous sores on his body, and by his apparent debility, that he would soon sink under his afflictions. Mr. Walcott told me that it was with the greatest difficulty he could keep a few fowls, on account of the smaller vampire; and that the larger kind were killing his poor ass by inches. It was the only quadruped he brought up with him into the forest.

"Although I was so long in Dutch Guiana, and visited the Orinoco and Cayenne, and ranged through part of the interior of the Portuguese Guiana, still I could never find out how the vampires actually draw the blood; and, at this day, I am as ignorant of the real process as though I had never been in the vampire's country. I should not feel so mortified at my total failure in attempting the discovery, had I not made such diligent search after the vampire and examined its haunts. Europeans may consider as fabulous the stories related of the vampire; but, for my own part, I must believe in its powers of sucking blood from living animals, as I have repeatedly seen both men and beasts which had been sucked, and, moreover, I have examined very minutely their bleeding wounds.

"Wishful of having it in my power to say that I had been sucked by the vampire, and not caring for the loss of ten or twelve ounces of blood, I frequently and designedly put myself in the way of trial. But the vampire seemed to take a personal dislike to me; and the provoking brute would refuse to give my claret one solitary trial, though he would tap the more favoured Indian's toe, in a hammock within a few yards of mine. For the space of eleven months, I slept alone in the loft of a woodcutter's abandoned house in the

forest; and though the vampire came in and out every night, and I had the finest opportunity of seeing him, as the moon shone through apertures where windows had once been, I never could be certain that I saw him make a positive attempt to quench his thirst from my veins, though he often hovered over the hammock."

Like all naturalists of practical experience, Mr. Waterton excels in the habits of animals. Hence, there is a great deal that is very instructive, on the common owl, the carrion crow, the pheasant, the jackdaw, the rook, the tawny owl, the ring-dove, the wigeon, the heron, the water ouzel, the king-fisher, the mallard, the brown rat, the jay, the magpie, the jigger, the pigeon, the misletoe-thrush, the windhover, the raven, and the chaffinch (the spink). As characteristic of the feline tribe, he relates the following:—

"In the month of July, 1831, two fine lions made their appearance in a jungle some twenty miles distant from the cantonment of Rajcoté, in the East Indies, where Captain Woodhouse, and his two friends, Lieutenants Delamain and Lang, were stationed. An elephant was despatched to the place in the evening on which the information arrived; and on the morrow, at the break of day, the three gentlemen set off on horseback, full of glee, and elated with the hope of a speedy engagement. On arriving at the edge of the jungle, people were ordered to ascend the neighbouring trees, that they might be able to trace the route of the lions in case they left the cover. After beating about in the jungle for some time, the hunters started the two lordly strangers. The officers fired immediately, and one of the lions fell to rise no more. His companions broke cover, and took off across the country. The officers now pursued him on horseback as fast as the nature of the ground would allow, until they learned from the men who were stationed in the trees, and who held up flags by way of signal, that the lion had gone back into the thicket. Upon this the three officers returned to the edge of the jungle, and having dismounted from their horses, they got upon the elephant; Captain Woodhouse placing himself in the hindmost seat. They now proceeded towards the heart of the jungle, in the expectation of rousing the royal fugitive a second time. They found him standing under a large bush, with his face directly towards them. The lion allowed them to approach within range of his spring, and then he made a sudden dart at the elephant, clung on his trunk with a tremendous roar, and wounded him just above the eye. While he was in the act of doing this, the two lieutenants fired at him, but without success. The elephant now shook him off; but the fierce and sudden attack on the part of the lion seemed to have thrown him into the greatest consternation. This was the first time he had ever come in contact with so formidable an animal; and much exertion was used before his riders succeeded in urging him on again in quest of the lion. At last he became somewhat more tractable; but as he was advancing through the jungle, all of

a sudden the lion, which had lain concealed in the high grass, made at him with redoubled fury. The officers now lost all hopes of keeping their elephant in order. He turned round abruptly, and was going away quite ungovernable, when the lion again sprang at him, seized his hinder parts with his teeth, and hung on them until the affrighted animal managed to shake him off by incessant kicking.

“The lion retreated farther into the thicket; Captain Woodhouse in the meantime firing a random shot at him, which proved of no avail, as the jolting of the elephant and the uproar of the moment prevented him from taking a steady aim. No exertions on the part of the officers could now force the terrified elephant to face his fierce foe, and they found themselves reduced to the necessity of dismounting. Determined, however, to come to still closer quarters with the formidable king of quadrupeds, Captain Woodhouse took the desperate resolution to proceed on foot in quest of him; and after searching about for some time, he observed the lion indistinctly through the bushes, and discharged his rifle at him; but he was pretty well convinced that he had not hit him, for he saw the lion retire with the utmost composure into the thicker parts of the brake. The two lieutenants, who had remained at the outside of the jungle, joined their companion on hearing the report of his gun.

“The weather was intolerably sultry. After vainly spending a considerable time in creeping through the grass and bushes, with the hope of discovering the place of the lion’s retreat, they concluded that he had passed quite through the jungle, and gone off in an opposite direction. Resolved not to let their game escape, the lieutenants returned to the elephant, and immediately proceeded round the jungle, expecting to discover the route which they conjectured the lion had taken. Captain Woodhouse, however, remained in the thicket; and as he could discern the print of the animal’s feet on the ground, he boldly resolved to follow up the track at all hazards. The Indian gamefinder, who continued with his commander, at last espied the lion in the cover, and pointed him out to the captain, who fired, but unfortunately missed his mark. There was now no alternative left but to retreat and load his rifle. Having retired to a distance, he was joined by Lieutenant Delamain, who had dismounted from his elephant on hearing the report of the gun. This unexpected meeting increased the captain’s hopes of ultimate success. He lost no time in pointing out to the lieutenant the place where he would probably find the lion, and said he would be up with him in a moment or two.

“Lieutenant Delamain, on going eight or ten paces down a sheep track, got a sight of the lion, and instantly discharged his rifle at him.

‘Impetus est fulvis, et vasta leonibus ira!’

This irritated the mighty lord of the woods, and he rushed towards him, breaking through the bushes (to use the captain’s own words) ‘in most magnificent style.’ Captain Woodhouse now found himself

placed in an awkward situation. He was aware that if he retraced his steps in order to put himself in a better position for attack, he would just get to the point from which the lieutenant had fired, and to which the lion was making; wherefore he instantly resolved to stand still, in the hopes that the lion would pass by, at a distance of four yards or so, without perceiving him, as the intervening cover was thick and strong. In this, however, he was most unfortunately deceived; for the enraged lion saw him in passing, and flew at him with a dreadful roar. In an instant, as though it had been done by a stroke of lightning, the rifle was broken and thrown out of the captain's hand, his left arm at the same moment being seized by the claws, and his right by the teeth, of his desperate antagonist. While these two brave and sturdy combatants, 'whose courage none could stain,' were yet standing in mortal conflict, Lieutenant Delamain ran up, and discharged his piece full at the lion. This caused the lion and the captain to come to the ground together, while Lieutenant Delemain hastened out of the jungle to reload his gun. The lion now began to craunch the captain's arm; but as the brave fellow, notwithstanding the pain which this horrid process caused, had the cool determined resolution to lie still, the lordly savage let the arm drop out of his mouth, and quietly placed himself in a couching position, with both his paws upon the thigh of his fallen foe. While things were in this untoward situation, the captain unthinkingly raised his hand to support his head, which had got placed ill at ease in the fall. No sooner, however, had he moved it, than the lion seized the lacerated arm a second time, craunched it as before, and fractured the bone still higher up. This additional *memento mori* from the lion was not lost upon Captain Woodhouse; it immediately put him in mind that he had committed an act of imprudence in stirring. The motionless state in which he persevered after this broad hint, showed that he had learned to profit by the painful lesson.

"He now lay bleeding and disabled under the foot of a mighty and an irritated enemy. Death was close upon him, armed with every terror calculated to appal the heart of a prostrate and defenceless man. Just as this world, with all its flitting honours, was on the point of vanishing for ever, he heard two faint reports of a gun, which he thought sounded from a distance; but he was totally at a loss to account for them. He learned, after the affair was over, that the reports were caused by his friend at the outside of the jungle, who had flashed off some powder in order to be quite sure that the nipples of his rifle were clean.

"The two lieutenants were now hastening to his assistance, and he heard the welcome sound of feet approaching; but, unfortunately, they were in a wrong direction, as the lion was betwixt them and him. Aware that if his friend fired, the balls would hit him, after they had passed through the lion's body, Captain Woodhouse quietly pronounced, in a low and subdued tone, 'to the other side! to the

other side !' Hearing the voice, they looked in the direction from whence it proceeded, and to their horror saw their brave comrade in his utmost need. Having made a circuit, they cautiously came up on the other side, and Lieutenant Delamain, whose coolness in encounters with wild beasts had always been conspicuous, from a distance of about a dozen yards, fired at the lion over the person of the prostrate warrior.

"The lion merely quivered ; his head dropped upon the ground, and in an instant he lay dead on the side close to his intended victim."

Our author informs us (page 153) that he paid a visit to Flamborough Head, and made a tour of the rocks and cliffs for some way north. To a naturalist, a poet, or a moralist, few places in this part of Europe could be selected more calculated to gratify the mind than that coast, with its abrupt and wild range of natural fortresses, which run northern almost to the Scotch border.

"The immense range of perpendicular rocks, lashed by old ocean's briny surge, offers a choice and favourable retreat of myriads of wildfowl, from far-famed Flamborough Head to Bempton, and thence to Buckton and Speaton, and onwards to the Bay of Filey.

"He who wishes to examine the nidification of these birds ought to be at this part of the sea-coast early in the month of May. About five miles from Bridlington Quay is the village of Flamborough, chiefly inhabited by fishermen ; and a little farther on is a country inn, called the North Star, which has good accommodation for man and horse ; but a lady would feel herself ill at ease in it, on account of the daily visits of the fishermen, those hardy sons of Neptune, who stop at it on their way to the ocean, and again on their return. Here they rendezvous, to fortify their interior with a pint or two of comfort, and to smoke a pipe, by way of compensation for the many buffets which they ever and anon receive in the exercise of their stormy and nocturnal calling.

"On the bare ledges of these stupendous cliffs the guillemot lays its egg, which is exposed to the face of heaven, without any nest whatever ; but the razorbills and puffins lay theirs in crannies, deep and difficult of access. Here, too, the peregrine falcon breeds, and here the raven rears its young ; while the rock pigeon and the starling enter the fissures of the precipice, and proceed with their nidification, far removed from the prying eye of man. The kittiwake makes her nest of dried grass wherever she can find a lodgement, and lays two spotted eggs, very rarely three. The cormorant and shag inhabit that part of the rock which is opposite to Buckton Hall. You are told that the cormorants had their nests, in former times, near to the Flamborough lighthouse ; but now these birds totally abandon the place during the breeding season. The jackdaw is found throughout the whole of this bold and craggy shore ; he

associates with the sea-fowl, as though he were quite at home amongst his own inland congeners. Towards the top of the cliffs, both rabbits and foxes have descended from the table land above them, and managed to find a shelter among the crevices, in places where you would suppose that no four-footed animal would ever dare to venture. A low mound, half earth, half stone, thrown up by the farmers for the protection of their flocks, skirts the winding summit of the precipice. Cattle have been known to surmount this artificial boundary, and lose their lives in the roaring surge below.

“ This extensive range of rocks, as far as appertains to birds, is not considered private property. Any person who can climb it may carry away what number of eggs he chooses. Still there is a kind of honourable understanding betwixt the different sets of climbers, that they will not trespass over the boundaries which have been marked by mutual consent.

“ The eggs of the guillemot and razorbills form a considerable article of traffic from old May-day till about the middle of June. Though the eggs of the kittiwake and puffin are of fully as good a flavour, still they are not in such request, on account of their tender shells, which are easily broken in packing, and in transporting from place to place.

“ The usual process of seeking for the eggs is generally carried on by three men, though two will suffice in case of necessity. Having provided themselves with two ropes of sufficient length and strength, they drive an iron bar into the ground, about 6 in. deep, on the table land at the top of the precipice. To this bar is fastened the thickest of the two ropes, and then it is thrown down the rocks. He who is to descend now puts his legs through a pair of hempen braces, which meet round his middle, and there form a waistband. At each end of this waistband is a loophole, through which they reeve the smaller rope. Sometimes an iron hook and eye are used in lieu of this loop. A man now holds the rope firmly in his hand, and gradually lowers his comrade down the precipice. While he is descending he has hold of the other rope, which was fastened to the iron bar; and, with this assistance, he passes from ledge to ledge, and from rock to rock, picking up the eggs of the guillemot, and putting them into two bags, which he had slung across his shoulder ere he commenced his arduous undertaking. When he has filled these bags with eggs, he jerks the rope, and the motion informs his friend at the top that it is now time to draw him up. On coming up again to the place from whence he first set out, all the eggs are taken from the bags, and put into a large basket, prior to their being packed in hampers and carried off in a cart by wholesale dealers, who purchase them from the climbers for sixpence the score. At Bridlington and the neighbouring places the eggs are retailed at a halfpenny a piece.

“ The rocks are searched for eggs every third day, provided the weather be fair. It requires considerable address on the part of the

descending climber to save himself from being hit by fragments of the rock, which are broken off by the rope coming in contact with them. He avoids the danger by moving sideways when the stone is falling, and by taking care, as he goes down, to clear away with his foot any portion of the rock that seems ready to give way. One of the climbers, while he was imparting to me instructions how to act, grinned purposely, and showed his upper jaw. I learned by his story, that, last year, a falling stone had driven two of his front teeth down his throat; while the poor climber, with all his dexterity, was unable to fend off the blow.

“As I was lowered down, the grandeur and sublimity of the scene beggared all description, and amply repaid any little unpleasant sensations which arose on the score of danger. The sea was roaring at the base of this stupendous wall of rocks; thousands and tens of thousands of wildfowl were in an instant on the wing: the kittiwakes and jackdaws rose in circling flight; while most of the guillemots, razorbills, and puffins, left the ledges of the rocks, in a straight and downward line, with a peculiarly quick motion of the pinions, till they plunged into the ocean. It was easy to distinguish the puffins from the razorbills in their descent: these presented a back of a uniformly dark colour; those had a faint white diagonal line running across the wings. The nests of the kittiwakes were close to each other, on every part of the rocks which was capable of holding them; and they were so numerous, as totally to defy any attempt to count them. On the bare and level ledge of the rocks, often not more than six inches wide, lay the eggs of the guillemots: some were placed parallel with the range of the shelf, others nearly so, and others with their blunt and sharp ends indiscriminately pointing to the sea. By no glutinous matter, nor any foreign body whatever were they affixed to the rock: bare they lay, unattached, as on the palm of your outstretched hand. You might see nine or ten, or sometimes twelve, old guillemots in a line, so near to each other that their wings seemed to touch those of their neighbours; and when they flew off at your approach, you would see as many eggs as you had counted birds sitting on the ledge.

“The eggs vary in size and shape and colour beyond all belief. Some are large, others small; some exceedingly sharp at one end, and others nearly rotund. Where one is green, streaked and blotched with black, another has a milk-white ground, blotched and streaked with light brown. Others, again, present a very pale green colour, without any markings at all; while others are of a somewhat darker green, with streaks and blotches of a remarkably faded brown. In a word, Nature seems to have introduced such an endless intermixture of white, brown, green, yellow, and black, into the shells of the eggs of the guillemots, that it absolutely requires the aid of the well-set pallet of a painter to give an adequate idea of their beautifully blended variety of colouring. The pen has no chance of success in attempting the description.

“ The rock-climbers assure you that the guillemot, when undisturbed, never lays more than one egg ; but that, if it be taken away, she will lay another ; and, if she be plundered of that, she will then produce a third ; and so on. If you dissect a guillemot, you will find a knot of eggs within her. The rock-climbers affirm that the bird can retain these eggs, or produce them, according to circumstances. Thus, if she be allowed to hatch her first egg, she lays no more for the season ; if that egg be lost or taken away, another is laid to supply its place.

“ The men also assure you that, when the young guillemot gets to a certain size, it manages to climb upon the back of the old bird, which conveys it down to the ocean. Having carried a good telescope with me, through it I saw numbers of young guillemots, diving and sporting on the sea, quite unable to fly ; and I observed others on the ledges of the rocks, as I went down among them, in such situations, that, had they attempted to fall into the waves beneath, they would have been killed by striking against the projecting points of the intervening sharp and rugged rocks : wherefore I concluded that the information of the rock-climbers was to be depended upon ; and I more easily gave credit to it, because I myself have seen an old swan sailing on the water, with her young ones upon her back, about a week after they were hatched.

“ He who rejoices when he sees all nature smiling around him, and who takes an interest in contemplating the birds of heaven as they wing their way before him, will feel sad at heart on learning the unmerited persecution to which these harmless sea-fowl are exposed. Parties of sportsmen, from all quarters of the kingdom, visit Flamborough and its vicinity during the summer months, and spread sad devastation all around them. No profit attends the carnage ; the poor unfortunate birds serve merely as marks to aim at, and they are generally left where they fall. Did these heartless gunmen reflect, but for one moment, how many innocent birds their shot destroys ; how many fall disabled on the wave, there to linger for hours, perhaps for days, in torture and in anguish ; did they but consider how many helpless young ones will never see again their parents coming to the rock with food ; they would, methinks, adopt some other plan to try their skill, or cheat the lingering hour.

“ The old fable tells us that the cormorant was once a wool-merchant. He entered into partnership with the bramble and the bat, and they freighted a large vessel with wool. She struck on some rocks, and went to the bottom. Since that disaster, the bat sculks in his hiding-hole until twilight, in order that he may avoid his creditors : the bramble seizes hold of every passing sheep, to make up his loss by retaining part of its wool ; while the cormorant is for ever diving into waters of the deep, in hopes of discovering whereabouts his foundered vessel lies. So far for the fable, which will always bring pleasing recollections into the minds of those who are fond of rural pursuits.

“ The cormorants often pay me a visit in the winter season ; and, could they but perceive that there is safety for them here, and great danger elsewhere, they would remain with me while the water is unfrozen. But they wander, unfortunately, through parts where protection is not afforded them ; and, being outlandish birds in the eyes of the neighbouring gamekeepers, they are immediately shot at. Those which find their way here are so unconscious of danger, that, after they have spent a considerable portion of time in diving for fish, they will come and preen their feathers on the terrace which rises from the water, within ten yards of the drawing-room windows.

“ The cormorant may be justly styled the feathered terror of the finny tribe. His skill in diving is most admirable, and his success beyond belief. You may know him at a distance, among a thousand waterfowl, by his upright neck, by his body being apparently half immersed in the water, and by his being perpetually in motion when not on land. While the ducks and teal and wigeons are stationary on the pool, the cormorant is seen swimming to and fro, ‘ as if in quest of something.’ First raising his body nearly perpendicular, down he plunges into the deep ; and, after staying there a considerable time, he is sure to bring up a fish, which he invariably swallows head foremost. Sometimes half an hour elapses before he can manage to accommodate a large eel quietly in his stomach. You see him straining violently, with repeated efforts to gulp it ; and when you fancy that the slippery mouthful is disposed of, all on a sudden the eel retrogrades upwards from its dismal sepulchre, struggling violently to escape. The cormorant swallows it again ; and up again it comes, and shows its tail a foot or more out of his destroyer’s mouth. At length, worn out with ineffectual writhings and slidings, the eel is gulped down into the cormorant’s stomach for the last time, there to meet its dreaded and inevitable fate. This gormandising exhibition was witnessed here by several individuals, both ladies and gentlemen, on Nov. 26, 1832, through an excellent eight and twenty guinea telescope ; the cormorant being, at that time, not more than a hundred yards distant from the observers. I was of the party.

“ When I visited Flamborough Head, in the first week in June, I was disappointed in not seeing the cormorant there : but I was informed, in Bridlington Quay, that this bird was not to be found nearer than the rocks at Buckton ; and that it had eggs very late in the season. In consequence of this information, I made a second expedition to the sea coast, and arrived at Bridlington Quay on July 14, 1834.

“ About three quarters of a mile from the sea, betwixt Flamborough Head and Filey Bay, stands the once hospitable mansion of Buckton Hall. I say hospitable, because its carved ornaments in stone, its stately appearance, and the excellent manner in which its outbuildings have been constructed, plainly indicate that mirth and revelry must once have cheered its walls. But the tide of prosperity

has ceased to flow. Something or other seems to have intervened, and turned it down another channel: for now the once well-known Buckton Hall is a neglected mansion; and the stranger, as he passes near it, sees at one glance that it is no longer a place of rendezvous for the great. The present tenant kindly allowed the horse and gig, which I had hired in Bridlington Quay, to be put under cover till I returned from the cliff.

“My guide, whose name was Mellor, and who possesses a very accurate knowledge of all the birds in this district, having mustered men and ropes in the village of Buckton, we proceeded across the table land to the Raincliff, which forms a perpendicular wall to the ocean, 140 yards high. Whilst I was descending this precipice, thousands of guillemots and razorbills enlivened the interesting scene. Some were going down to the water, others were ascending from it; while every ledge of the rock, as far as my eye could reach, was literally covered with birds of the same species. The cormorants stayed not to witness my unwelcome descent into their ancient and almost inaccessible settlement. They all took wing, as soon as we reached the edge of the cliff, and went far away to sea. It was a difficult matter to procure their eggs; for the nests were built in places where the rocks overhung them; and it was only by my giving the rope a swinging motion, and then taking advantage of it, as it brought me to the face of the cliff, that I was enabled to get a footing on the ledges which contained them. These nests were composed of thick sticks, plants from the rocks, grass, ketlocks which had gone to seed, and a little wool. There were four young birds in one, three eggs in another, two in a third, and one newly laid in a fourth. The shell of the cormorant's eggs is incrustated with a white chalky substance, which is easily scraped off with your penknife, and then you get at the true colour of the shell; the outside of which is of a whitish green, and the inside of a green extremely delicate and beautiful. The egg is oblong in shape, and you find it small for the size of the bird. The four young cormorants were unfledged, and covered with a black down. Their long necks, and long wing-bones, gave them a grotesque, and an almost hideous appearance. They would have been of service to the renowned Callot, when he was making his celebrated sketch of the temptations of St. Anthony. There came from the nests a fetid smell, so intolerable, that you might have fancied you had got among Virgil's Harpies; or that you were inhaling exhalations from the den of Cacus. Nothing could have been more distressing to your nasal sensibilities.

“It is remarkable that on the Raincliff not a kittiwake is seen to alight; and scarcely ever observed to fly close past it. I saw no signs that this bird had ever made its nest here. An attentive naturalist, who would take up his quarters in this neighbourhood, and visit the coast every day during the breeding season, might possibly be able to discover the cause why the kittiwake, which is seen in such countless thousands from Flamborough Head to Bempton,

should shun the Raincliff, which, apparently differs in nothing but height from the other parts of this bold and rocky shore.

"I am positive that we have not two species of cormorant in Great Britain. The crested cormorant, with a white spot on each thigh, is merely the common cormorant in his nuptial dress. This is not the only bird which becomes highly ornamented during the breeding season. On some future day, when the storms of winter forbid all access to the fields, and condemn me to the dull monotony of life within doors, I may possibly take up the pen, and write down a few remarks upon the change of plumage in birds."

- ART. VIII.—1. *Lectures on the Real Presence of the body and blood of our Lord Jesus Christ in the Blessed Eucharist. Delivered in the English College, Rome.* By Nicholas Wiseman, D.D. Vol. 1. *Scriptural Proofs.* London, 1836.
2. *The Roman Catholic Doctrine of the Eucharist considered, in reply to Dr. Wiseman's argument from Scripture.* By Thomas Turton, D.D., Regius Professor of Divinity in the University of Cambridge, and Dean of Peterborough. Cambridge, 1837.
3. *A Reply to the Rev. Dr. Turton's "Roman Catholic Doctrine of the Eucharist considered," Philalethes Cantabrigiensis, the British Critic, and the Church of England Quarterly Review.* By Nicholas Wiseman, D.D. London, 1839.

RELIGIOUS controversy, more than any other, imposes the observance of honesty and decorum on those who engage in it. If it be too much to expect that the disputants should never allow their passions to interfere in the conflict, it may, however, be reasonably required that they should control them, and spare TRUTH, whose interests are professedly espoused, the dishonour of being involved in a fray of personalities. The petty arts of wrangling should be disdained. Invectives, cowardly insinuations, perversions of meaning, and the like appliances of a worthless cause, or a worthless advocate, should be relinquished to the professed libeller, or the hireling scribe of a political faction. They are alike unmanly and unchristian.

Of all religious subjects, the Eucharist is that, which seems most to inculcate moderate and charitable language in the treatment, and to interdict asperity and railing from discussions even incidentally connected with it. An institution,

commemorative of a Saviour's love and denoting brotherly union, is sadly degraded, when it is made the occasion of splenetic effusions, insult and scurrility. Let, then, *this* ground of controversy, at least, be sacred from disgraceful intrusion. If, unhappily, all who bear the Christian name, do not respond to the feeling entreaties* directed to them to be of one mind on this mystery, at least let every investigation regarding it be conducted decently:—coarse jests and personal raillery, have no affinity with Scripture texts; derision and theological argument make an unnatural medley. Earnestness in contending for one's convictions is not incompatible with, in fact, it receives its best grace from, an inoffensive and courteous bearing towards those with whom we speculatively differ.

It is this that enhances the value of the learned work which stands first on our list. To very extensive research and skill in presenting arguments for the Catholic doctrine in an interesting and often original point of view, it superadds the recommendation of being free from arrogance and asperity. A tone of moderation runs through the whole:—for we do not think that the author in his answer† to the unfounded charges of Professor Lee, repeated with something like studied rudeness by Mr. Hartwell Horne, has exceeded the bounds of a just defence. His “abstinence from all provoking and ill-bred forms of speech,” has, it appears, furnished a certain facetious *Critic* with a topic for banter and matter for sage induction:—as our vein of pleasantry is not so rich and our philosophy is more homely, we shall commend the reserve, and believe it to indicate a mild and charitable temper.

To this measured tone a striking contrast is exhibited in the second of the works at the head of our paper. Dr. Turton is a polemic to the heart's content of those who may think that the chief duty of one who sits down to answer a book is to study how he may be most offensive to its author, and represent him as alike despicable and odious. The divine is lost in the scold. The Regius Professor at Cambridge, in the nineteenth century, takes up the style familiar to one who wore his gown in the seventeenth.‡ The object of his attack

* Conc. Trid. Sess. xiii. cap. 8.

† P. 242 et seqq.

‡ Dr. Whitaker, from whose *Prælec. de Sacram.* (Ed. 1624,) we cull at random the following amenities. There is often a whimsical coincidence in expression between the reviler of Bellarmine and the modern Cambridge Doctor. “*Quid dici potest blasphemius in Deum, in Scripturas, in fidem et religionem?*” p. 170. *Tam impudens est certe ut nunquam crediderim quæquam hominem Christianum*

is without one redeeming merit, one commendable quality. 'All is naught:'—or the little good allowed is so dashed, as hardly to be worthy of account. "The author is subtle, but not sagacious: he is dexterous, but not circumspect; he is learned after the manner of a controversialist, not after that of a student. It would have afforded me real pleasure, if I could have pointed out a *single* instance of fair manly investigation in the course of his lectures: and I sincerely regret, that he has not enabled me to pay him the compliment."* To those who give implicit faith to the Doctor's oracular antithesis, the author of the "Lectures" will, of course, pass as a quibbling sciolist, a miserable pretender:—and it will be their wonder how a scholar of Dr. Turton's presumed abilities should condescend to notice with his frown one so undeserving the honour of criticism, or expend any of the stores of his vituperation on one so flagrantly unprincipled.

A closer insight into the learned censor's work, will, however, help to dispel this wonder. There is, as the reader will observe, no gradation in the blame: the reproof is always craned to the utmost pitch. It will be asked, how comes this?—Then the contradiction between the author's avowed principle and his practice: "Strong language is *quite* foreign to my habits of writing."† "And yet his peace is but *continual jar*." Lastly, the incessant recurrence of the argument *ad invidiam et opprobrium*:—the strained effort to fasten on a clergyman, a dignitary and a teacher in the capital of the Christian world, the imputation of profanity and of militating systematically against what is most venerable in religion.

We speak of what might occur to the mind of an "intelligent and impartial reader,"‡ who had no acquaintance with Dr. Wiseman's other works, or who, as was the case with ourselves, takes up Dr. Turton's volume before he has read that which it was intended to crush. Such a reader might deem it a first-rate *polemical* work, and readily perceive, that its author was not the man to do things by halves; yet, whilst

id esse dicturum quod ille dicit. ib. Nihil a Bellarmino dici impudentius potuit. p. 437. Aliud stans, aliud sedens dicit. p. 545. Video Bellarm. usum esse oculis alienis, p. 166. De hoc loco laborat et mirifice se torquet et nescio quæ commenta sophistica excogitat." p. 374.—Enough. Whoever will turn to Dr. Turton, at pages 115, 129, 140, 213, 317, 106, 98, and 291, will find these same elegancies translated, always with freedom, generally with improvements. And, as Whitaker could be civil (*in his way*) to Catholic writers, when their testimony could be pressed in to serve a turn, (inter Pontificios ipsos qui paulo doctiores et æquiores sunt, &c. . . Mathias Doring, Papista haud obscurus." p. 376) so can Dr. Turton, pp. 95, 214, 291.

* T. 322.

† T. 108.

‡ T. vi.

pitying him for his jokes, which, though designed to make the unskilful laugh, are calculated to make the judicious grieve,—he might be swayed by his repute and bold assertion, and conclude that the writer under review had laid himself open to just censure. At the same time, warned in advance by his author, that “in the midst of continual interruptions, the greatest care cannot always prevent mistakes,”* he would apply the observation to mitigate the severity which he saw dealt out to the work impugned; wishing that the censor who had been so wary in suggesting in advance an excuse for himself, had been equally generous in allowing the benefit of the same to another. After all, moroseness is endurable in a critic, if he observe strict justice. The reader, then, would be encouraged to proceed in full reliance by the author’s protesting that “he feels at least the consciousness of having represented everything faithfully,”† and by his passing (with a guardedness, however which, upon narrow inspection, seems like cunning,) anticipated sentence upon himself, if any fraud be practised on the reader’s confidence. Certain suspicions of foul play would gradually be awakened by ill-disguised manoeuvres:—the slipping of the question in hand, the tedious delay on points of very subordinate importance, the diversions and the doublings.‡ When, at length, he saw a divine who has laboured to vindicate the high character of the Christian ordinance, charged with using terms most gross and offensive in describing our Lord’s discourses,§ he would closely examine the ground of the accusation, and upon finding the accuser driven to the hard necessity of forcing a solecism on the mother-tongue,|| in order to attach to unexceptionable words an irreverent signification, he would resent the imposture. Or, when he saw him charged with retailing an anecdote “which indicates the most grievous insensibility to holy things,”¶ he might well cry, hold! and believing the imputation extravagant, seek instantly to confront the accuser with a testimony which, suspiciously enough, has been kept out of

* T. vi. † Ibid. ‡ 42 et sq. 63, 192, &c. § T. 112.

|| In the Lectures, (p. 86,) occurs the following phrase: “We cannot *allow* our Saviour, if a sincere teacher, to have used these ideas as images,” &c., and it is repeated in p. 89. That is, “we cannot *admit* that our Saviour . . . used,” &c. The critic offers violence to the language by explaining (page 112,) the word *allow* as synonymous with *permit*. How can we permit a person’s *having done* any thing? Let us illustrate the meaning of the misinterpreted phrase by an example. We cannot *allow* Dr. Turton to have come off with honour from his encounter with Dr. Wiseman; but we *allow* him to console himself, as he best may, for his discomfiture.

¶ T. 315.

sight. The reading of the "anecdote" would be sufficient to determine him—it determined us at least*—how to rate Dr. Turton as a "controversialist." Extending his comparison to other passages and with the same result, the consequence would be "an utter want of confidence in any thing that is asserted without the most vigilant enquiry into the matter."†

It must, naturally, have been an *irksome* task to answer such a work; not, however, a *difficult* one, as every reader of the "Reply," will, upon examination, perceive. We can easily conceive and allow for a reluctance to engage in a controversy with a man, whose ordinary weapons are contumelious jibes, and who sophisticates the truth habitually. Nevertheless, if an answer was called for,—and we believe the station, the pretensions, and *imposing* arts of the accuser required one,—it should have been given earlier.

There is one discernible advantage which Dr. Wiseman maintains over his adversary throughout,—his good temper. He does not return railing for railing. He is courteous in his retorts: and when, as often happens, he exposes the disingenuousness of the attack, he does not follow up the triumph with clamorous invective, or copy the bad example of the aggressor in extraneous and unwarrantable imputations. The result may be fairly stated to be this:—he has completely overthrown the most important charges preferred against him by Dr. Turton, and convicted him of dealing in methods which honourable warfare disallows; he has, on the one hand, rectified a few mistakes of little consequence to his argument, and, on the other, justified and elucidated what was more relevant:—and thus furnished a useful supplement to his volume, and though by no means an elaborate, yet a serviceable contribution to Catholic literature.

* We will give the anecdote and the lecturer's application of it, and appeal to any candid reader, Catholic or Protestant, whether Dr. Turton's censure be just or malignant. "Although the defacing of the king's coin be considered an offence against the king, and I believe treasonable, yet, who would venture to call it an offence against his person, or his body, or to rank it with an actual assault committed to injure him? We have, perhaps, an illustration of this in a well-known historical anecdote. When the Arians disfigured and defaced the statues of Constantine, his courtiers endeavoured to rouse his indignation by saying, 'see how *your face* is covered with dirt and quite deformed.' But this attempt to transfer to his own person the outrage done to his emblems or representations, appeared to the sensible and virtuous emperor, too gross a piece of flattery; so that, passing his hand quietly over his head, he replied:—'I do not feel any thing.' In like manner, therefore, any offence against symbolical representations of Christ's body and blood, could not be considered as outrages against the realities themselves." Lect. 262.

† T. 147.

Premising that our limits do not allow us to treat the subject so amply as we originally intended, we proceed to advert to the topics under the discussion of the parties. We will endeavour to present a summary of their opposite statements and reasonings on the most important branch of the controversy: engaging to suffer no partiality to bias our pen. We do not affect to be neutral: our determination is to be fair and honest.

The object of the *Lectures*, is to examine inductively the texts which have, or are supposed to have, reference to the Holy Eucharist. This induction involves discussions on the signification attached to words and phrases by those who used them or to whom they were addressed, on philology, ancient customs, opinions, and modes of thought. It is evident that, only by such a process can the meaning of authors of a distant age and country be satisfactorily investigated. To assist in this investigation, rules have been collected, and systematically arranged and unfolded, by numerous writers of our own and of several Protestant communions. Reasoning is prior to logic, oratory to rhetoric, and verbal usage to grammar:—but no one will deny the utility of the three arts we have mentioned. Now the science of interpretation is technically called *hermeneutics*—a term, whose frequent recurrence in Dr. Wiseman's volume, furnishes occasion to his critics for derision, which, in men of other stations, we should call *vulgar*, and for cavils, which argue the utmost disingenuousness.

Every one is aware that an intelligent speaker or writer endeavours to adapt his mode of address to the capacity of those to whom he speaks or writes. Thus far, at least, every speaker or writer must be, if we may so say, subservient: there is nothing degrading in this, nothing which implies any surrender of principle. Now, the Lecturer has remarked, that for a right understanding of our Saviour's words, it is important "to take into account . . . the feelings, the habits, the very prejudices, of the audience addressed,"* and that as "our Saviour's *object*, in his discourses to the Jews, *was to gain them over to the doctrines of Christianity*, he must be supposed to *propose those doctrines in the manner most likely to gain their attention and conciliate their esteem*."† In illustration of the *first* remark, he has cited a general axiom from Burke, that "in all bodies, those who will lead must also, in a considerable degree, follow: they must conform their propositions to the taste, talent, and disposition of those whom they

* W. 28.

† W. 86.

wish to conduct." Any application of that axiom to our Saviour's teaching, save as to the *manner* of it, he explicitly disclaims.* We see nothing reprehensible in this. But Dr. Turton was especially anxious that his readers should be inspired with disgust. He turns to the passage in Burke, and, finding that the general axiom was *applied* by the statesman to an assembly viciously or feebly composed, and whose leaders are actuated by ambition and a lust of meretricious glory, he reprints it, with the context; with a mock solemn appeal calls on his reader for belief, and charges the Lecturer with "estimating the purposes of the Saviour of the world, and the means employed by him for the accomplishment of his object, by the means and purposes to which a political leader may have recourse, with the view of controlling and directing the excited passions of a popular assembly."† He follows up this representation by imputations which we do not care to repeat, and treats the author's express limitation as almost nugatory, and his opinion as approximating to blasphemy.

The *second* remark of the Lecturer, was illustrated by a quotation from Dr. Whately: "the preacher who is intent on carrying his point, should use all such precautions as are not inconsistent with it, to avoid raising unfavourable impressions in his hearers."‡ About the same amount of acrimony is expended by the Rev. Critic on occasion of this quotation: the prelude to the discharge being, most appropriately, a declaration to this effect: "Strong language is quite foreign to my habits of writing."§

Dr. Wiseman has amply vindicated himself on both points.|| We have not space for extracts; and we hasten from the preliminaries *in medias res*. We will detain the reader but a moment, to refer to the quotation, in italics, in the foregoing page,—on the *object* of our Saviour's preaching. Dr. Turton, be it remembered, "feels the consciousness of having represented everything faithfully."¶ Whether "the intelligent and impartial reader" will be similarly satisfied we wish now to ascertain, by quoting his comment on the quotation to which we have just called the reader's attention. "If we may judge from our Lord's own proceeding, he must frequently have had some *other* object besides that mentioned by Dr. Wiseman,—

* W. 28, 29.—We refer the reader, also, to the beautiful summary of our Lord's character, pp. 127, 128. "An independance which renders him superior to all the world . . . an intrepid firmness in reproof," &c. Again (p. 131), "With his customary firmness and indifference to mere popularity," &c.

† T. 106.

‡ W. 86.

§ T. 108.

|| W. 132-142.

¶ T. vi.

namely, that of gaining the attention of the Jews and conciliating their esteem."* And he employs himself for a page or more in proving this from Scripture!

"Truly this is either solemn trifling, or it is something much worse. I have declared our Lord's *object* to be 'to gain the Jews over to the doctrines of Christianity.' Dr. Turton descends to a palpable falsification of my words, and then proceeds to prove that our Lord's object in his ministry was not to conciliate esteem! Surely it ill becomes Dr. T. to be a severe censurer of others."—*Reply*, p. 137.

The reader will, by this time, have formed a pretty fair estimate of the Regius Professor as a controversialist. Dismissing him for the present, let us state, in a few words, Dr. W.'s opinion on the structure of the sixth chapter of St. John, and the arguments whereby he supports that opinion. Several Protestant, almost all Catholic divines, consider the last twenty verses as relating to the Eucharist,—the promise of that sacrament, which was instituted at the passover of the following year. That portion of the discourse at Capharnaum, which precedes the supposed reference to the Eucharist, is unanimously allowed to refer entirely to faith. But at what point does the transition take place? Our divines generally suppose at the fifty-first verse: Dr. W. engages to show that it takes place at the forty-eighth. However, he justly considers this question to be of secondary importance:—nor is the argument which he subsequently proposes affected by it. He proposes his reasons for his arrangement modestly and fairly: nor do we see why his opponent should have brought himself to impugn them so laboriously and intemperately, except in the supposition that it was his object to raise a strong prejudice against the *Lectures* at the outset. Thus far he has been successful. For of the three reasons† alleged by Dr. Wiseman, the first and second will to most readers, we think, appear unsatisfactory, and the third, though more plausible, not conclusive. The additional observations,‡ which Dr. Turton's criticism has called forth, have not altered our judgment on the insufficiency of those reasons. We may, also, remark in passing, that we are not satisfied with the alteration which Dr. Wiseman proposes§ in the text of *John* xiv. 5, 6. We acknowledge that the actual text "presents difficulties;|| the chief of which, as seems to us, is the change of persons. However, a sentence of the structure, which results from Dr. W.'s

* T. 108, et seq.

§ W. 42.

† W. 41.

‡ "Reply," 41, &c.

|| "Reply," 52.

punctuation, is forced and unnatural, and without its like in the evangelist. Why may not the *ὅτι*, like the Hebrew *כִּי*, have an adversative instead of a causal signification assigned to it? The passage would, in this case, stand as follows: "He that abideth in me . . . the same beareth much fruit: *whereas* without me ye can do nothing. This rendering would agree with the well-known comment of St. Austin,† and remove that appearance of inconclusiveness, which, we must confess, despite of incurring Dr. Turton's wrath,‡ strikes us in the passage.

Had Dr. T. confined himself to the critical examination of the authorities and arguments alleged by the Lecturer, there would be no matter of complaint. It was free for him to occupy, in criticizing, sixfold the space which the Lecturer had occupied in propounding. The question is a subordinate one,—true: but if the author had presented some easily assailable points, it was fair warfare, and the part of a skilful adversary to attack them. But, why misrepresent his meaning, ascribe to him what he is in no way answerable for, and perplex the question with new intricacies? Why, for instance,§ describe him as *appealing* to Rosenmuller, as well as to Kuinoel and Bloomfield, for proof of his assertion respecting *Matt.* xxiv. 48, when the two latter only are appealed to, and the former is barely *noticed*, to show that he differs essentially|| from one in whose interpretation the Lecturer acquiesces? What have the speculations on what Bloomfield might be considering when he wrote his note,¶ to do with the matter in hand; or, how can the arbitrary alternations respecting Kuinoel** be reconciled with fair dealing? Once for all, why did not the critic who can, when it suits his purpose (as in the case of Bloomfield and Tittman††), leap nimbly from one work of an author to another, who has read and professes to make incidental references to Dr. W.'s *Moorfields Lectures*, and who has taken care to specify and make the most of an error, very pardonable in a work so speedily issued from the

* See Noldius in voce, § 23.—In Psalm xxxvi. 19, 20. *Οὐ κατασχυνθησονται ἐν καιρῷ πονηρῷ καὶ ἐν ἡμέραις λιμοῦ χορτασθησονται, Ὅτι οἱ ἁμαρτωλοὶ ἀπολοῦνται*, the particle seems to mark a contrast; and to be, therefore, more correctly rendered "whereas," "on the contrary."

† Tractat. lxxi. in Joan.—"Ne quisquam putaret saltem parvum aliquem fructum posse a semetipso palmitem ferre: cum dixisset, hic fert fructum multum; non ait, quia sine me parum potestis facere sed, nihil potestis facere. Sive ergo parum, sive multum," &c. . . .

‡ T. 23.

§ T. 39.

|| W. 46, note.

¶ T. 45.

•• T. 40, 42.

†† T. 45, 192. Of this latter, more by and by.

press;—why could he not apprise his readers that in *those Lectures* the question of where the transition occurs in John vi. is treated as immaterial,* although the discussion on Matt. xxiv. is historically noticed;—and thus leave them to the natural inference, that the author did not regard the two questions as inseparable, or the fate of one as determining that of the other?

On the question of the transition in John vi. Dr. Turton has, however, not only not weakened, but (unintentionally) confirmed the *argument* of his adversary. The case is this: It is often asked, how can we suppose that our Lord passes in that chapter from one subject to another (from faith to the Eucharist), when there is no form indicating such transition? In reply, the Lecturer has alleged† what he deems “a perfectly parallel instance” of unindicated transition. We stop not to examine whether the instance produced should be so designated; for this consideration is adventitious to the argument. The instance, quoted is Matthew xxiv. 43, where some eminent *Protestant* commentators, not all, nor even the majority, recognize a change of subject, an unindicated transition from the prophecy regarding Jerusalem’s destruction to that regarding the Last Day. Hence he infers, that Protestants cannot urge the omission of a form of transition as an argument against the fact of the transition in John vi. To this reasoning, Dr. T. opposes the statement that a commentator of great name in the *Roman Church*‡ holds that the transition takes place not at verse 43, but at, or even before, verse 29; that editors and translators have given no sign of their admitting the existence of a transition at verse 43, and that thirteen *Protestant* commentators suppose it to take place verse 42.§ It is evident that the arrangement made by editors and translators, does not affect a question on commentators; and that the production of a *Catholic* commentator, however eminent, is a *diversion* from the enquiry on the opinion of *Protestants*. On the third allegation, Dr. Wiseman shall speak for himself:—

* H. 142.

† W. 45.

‡ *Estius*. A comparison of the “*Annotationes in præc. and diffic. loc. S. Script.*,” with the admirable commentaries of the same author on the Epistles, or even a moderately diligent inspection of merely the first work, might suffice to show that it could not command any very great regard. It is, in fact, a posthumous impression of his *adversaria*, of observations and discussions on texts which the daily reading of the Bible elicited. It is not a consecutive interpretation, but a collection of detached notes. In our humble opinion, it has been in general too much depreciated or neglected:—Dr. Turton, as may be seen in various places, exalts it to an undue importance.

§ T. 32-39.

“He has quoted me thirteen Protestant commentators, who place the transition at verse 42, instead of at verse 43. Most heartily do I thank him for his diligence and sagacity. My object was merely to prove that Protestant commentators are not deterred from placing transitions in our Lord’s discourses by the coherence of sentences before and after; and I quoted *two* authorities. Dr. Turton has the kindness to favour me with *thirteen* instead, who, though they place the transition a verse earlier than my two, do yet precisely the same thing,—they place a transition where the expression indicates a close connexion with what precedes. He has, therefore, made my answer to the objection stranger, in the proportion of thirteen to two. For let the reader diligently examine the passage. At verse 36, our Saviour tell his apostles that the day and hour, of which he has spoken, were concealed from the very angels. He proceeds to illustrate this by the example of Noah’s contemporaries, saying, ‘As they knew not till the flood came and took them all away, so shall also the coming of the Son of Man be.’ (v. 39.) ‘Two examples follow of two men in the field, and two women at the mill (vv. 40, 41), and our Saviour thus concludes: ‘Watch ye, THEREFORE, because you know not at what hour your Lord will come.’ (v. 42.) It is plain that this is a conclusion strongly cohering with what had gone before; the very conjunction, *therefore*, shows this; there is an application of the instance given from the time of the Flood, where ignorance, unguarded by vigilance, led to a fatal surprise; there is a reference, also, to the absolute secrecy of God’s decrees concerning the appointed period, of which we must be ignorant, if angels are. Now, it is at this verse that the thirteen commentators, quoted by Dr. Turton, propose to make a transition to the Last Judgment, so that the consequence drawn by our Lord should be the beginning of a new section. Does not this prove my assumption most convincingly, that no objection can be drawn to a transition, at *John* vi. 48, from the query: ‘Should we not have something to indicate this transition to another subject?’ (*Moorf. Lect. ii. p. 142*), because Protestants scruple not to admit of such transitions.”—*Reply*, 63 et seq.

In his second lecture, the author has clearly traced the difference of phrase in the two sections of Lord’s discourse at Capharnaum, and shown that, as in the former, his hearers must obviously have understood him to speak a spiritual nutriment of *doctrine*, so, in the latter, the phraseology is such, that those addressed must have understood him to speak of a *real* manducation of his flesh and blood: the expressions in the second part being in no wise parallel to those of the first, nor susceptible of the same meaning. For if, as is supposed in the Protestant interpretation, to eat the flesh of Christ be the same as to possess (or partake of) “the bread of life,” mentioned in the former section of the discourse; “if to be fed on

no authority countenances, and dispense with all testimony in its regard, or gratuitously suppose that our Lord adopted a formula unknown to all writers, and peculiar to himself.

This supposition has been adopted by Tittmann:—and it affords a clear admission that the Protestant interpretation is inconsistent with the *usus loquendi*. The possibility of a received usage of language existing on such a subject, the Regius Professor derides,* with his usual scornfulness of style:—indifferent, as it would seem, to the consequences which the denial must involve.† As to Tittmann, after an irrelevant observation on the extract given from his *Meletemata Sacra*, he passes off to *another* work of that author, and sagaciously concludes that because Tittmann in the *latter* work considers the expression *edere carnem*, &c. as equipollent to *comedere panem sive Jesum comedere, tanquam panem vitæ*, and regards the passage as bearing reference, not to a sacramental, but to a spiritual manducation, therefore “no pretence can be discovered” that in the *former* work he should be supposed to mean what he is represented as meaning. This is droll reasoning. “The words from the *Meletemata Sacra* are as clear as those from the *Commentary* [the work referred to by Dr. T.], nor will any quotation from the latter obscure or invalidate the former.”‡ But our logician adroitly shifts the question; ascribes to his opponent the design of proving from the former testimony something different from what he had in view; finds a passage in another work, which convinces him that the German author “would have rejected such a notion” [that is, the imputed notion which is Dr. Turton’s fiction] “with contempt,” and thus achieves a *new* conquest in the field of cavil. We congratulate him on his laurels:—they do honour to his station, and to the cause of which he is the champion. Long may he wear them!

We regret that we can do no more than make a passing acknowledgment of the pleasure and information which we have derived from the perusal of the philological details§ in the lec-

* T. 191.

† “How could there have been ‘received usages of language’ on a subject which had never been heard of or imagined?”—p. 191. This is a captious question. The fair question would have been this:—How could a subject which had never been heard of before, have been spoken of according to ‘the received usages of language?’ We suppose Dr. Turton can answer this question himself.

‡ Reply, 186.

§ It is some proof of their correctness, that even Dr. Turton, who has “no confidence in *any thing* that is asserted by Dr. W., without the most *vigilant* inquiry into the matter” (T. 147), can find nothing to impeach, but—a mistake in a quotation from Martial—out of some forty or fifty references. It is, at the same time, a

Christ mean to believe in Christ, then to eat the flesh of Christ (if the phrase is to be considered parallel), must signify to believe *in the flesh* of Christ. This* is absurd; for the flesh and blood of Christ was not an object of faith to those who really sinned, by believing him too literally to be only a man."† To this argument, Dr. Turton opposes, in the way of *reply*, no more than the following words:—

"If, according to the supposition, eating *the flesh* of Christ be equivalent to eating *him*—and if by eating *him*, is meant believing in *him*—then must eating *the flesh* of Christ, also signify believing in *him*."—P. 88.

Dr. W.'s answer to this is satisfactory.

" Nor is it right to argue similarly from the literal to the figurative sense. To eat the flesh or body of Christ and to eat him, are necessarily the same thing, if we speak of a real manducation. But who will assert that *therefore* the two are equivalent in the figurative sense? If we speak of Christ's sufferings in the flesh, it is surely one whether we say *they crucified him*, or *they crucified his body*, or *they pierced his flesh*. But would it follow, that, because the apostle says, figuratively, that by sin men *crucify again* the Son of God (Heb. vi. 6), we could, in like manner, say, that they *crucify the body* of Christ, or nail *his flesh* to the cross."—*Reply*, 114.

But is not the expression "to eat the flesh of Christ" susceptible of a figurative interpretation? It is:—and this very fact will demonstrate the necessity of taking the expression in John vi. not figuratively, but in its literal import. For the figurative sense is most exactly limited and defined; the metaphor is fixed and invariable in its import; it can convey (as the Lecturer shows admirably well from the phraseology of the Bible, from the Arabic and Chaldaic languages, and the ablest philologists,) no other idea than that of "grievous injury, and especially of calumny;" so that, by deserting the literal interpretation of the words, we are necessarily driven to *that* figurative one which alone is recognized, but which the scope and context of the passage under consideration clearly forbid. To seek refuge in any *other* figurative interpretation is hopeless, unless we set at defiance the established usage of speech. We must imagine a metaphorical signification which

* We have not patience to dwell on Dr. Turton's *studied* perversion of the author's meaning here. We say *studied*; for, whereas every reader of the text would perceive that the writer designated the notion he was combating, absurd, Dr. Turton *falsifies* that text, and quotes distinctly as follows: "To believe *in the flesh* of Christ, says Dr. Wiseman, is absurd."—90. Two pages before, he charged Dr. W. with "a *wretched* perversion of words!!" Let him look at home.

† W. 61.

no authority countenances, and dispense with all testimony in its regard, or gratuitously suppose that our Lord adopted a formula unknown to all writers, and peculiar to himself.

This supposition has been adopted by Tittmann:—and it affords a clear admission that the Protestant interpretation is inconsistent with the *usus loquendi*. The possibility of a received usage of language existing on such a subject, the Regius Professor derides,* with his usual scornfulness of style:—indifferent, as it would seem, to the consequences which the denial must involve.† As to Tittmann, after an irrelevant observation on the extract given from his *Meletemata Sacra*, he passes off to *another* work of that author, and sagaciously concludes that because Tittmann in the *latter* work considers the expression *edere carnem*, &c. as equipollent to *comedere panem sive Jesum comedere, tanquam panem vitæ*, and regards the passage as bearing reference, not to a sacramental, but to a spiritual manducation, therefore “no pretence can be discovered” that in the *former* work he should be supposed to mean what he is represented as meaning. This is droll reasoning. “The words from the *Meletemata Sacra* are as clear as those from the *Commentary* [the work referred to by Dr. T.], nor will any quotation from the latter obscure or invalidate the former.”‡ But our logician adroitly shifts the question; ascribes to his opponent the design of proving from the former testimony something different from what he had in view; finds a passage in another work, which convinces him that the German author “would have rejected such a notion” [that is, the imputed notion which is Dr. Turton’s fiction] “with contempt,” and thus achieves a *new* conquest in the field of cavil. We congratulate him on his laurels:—they do honour to his station, and to the cause of which he is the champion. Long may he wear them!

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‡ Reply, 186.

§ It is some proof of their correctness, that even Dr. Turton, who has “no confidence in *any thing* that is asserted by Dr. W., without the most *vigilant* inquiry into the matter”(T. 147), can find nothing to impeach, but—a mistake in a quotation from Martial—out of some forty or fifty references. It is, at the same time, a

ture we are about to quit, to come to the third. Having discussed the question of phraseology, the Lecturer draws his next argument from "the prejudices of the Jews." It is, in substance as follows:—a benevolent and sincere teacher like Christ, whilst he would make no compromise regarding his *doctrines*, by accommodating them to the temper of his hearers, would, at the same time, refrain from the *unnecessary* use of expressions, revolting and harsh to their feelings and notions, in propounding these doctrines. Now the ideas of drinking blood and eating human flesh were, as various passages of the Scriptures shew, especially frightful to the minds of the Jews. It was, therefore, only because of the *necessity* of presenting these ideas that our Lord did so. Any other doctrine, except that of receiving as food the body and blood of Christ, could have been literally expressed in other terms, or figuratively by other metaphors not repulsive to the feelings of those whose assent to the doctrine was desired by the proposer of it.*

Dr. Turton *nota refert acumina*: repeats his usual tricks of misrepresentation, indignant zeal, and unwarrantable imputations.† We shall not stop to expose them, but proceed to the Lecturer's third argument, drawn from "the manner in which the Jews understood our Saviour's words, and from his reply." The learned author justly concludes, from the question which is raised (v. 53) immediately the obnoxious expression is enounced, that the hearers observed the introduction of a topic different from that on which their enquiries had been already satisfied, and from the *terms* of the question that the speaker's words were taken literally. The important point to be determined is, therefore, was this literal acceptation warranted?

"In order to decide this important point . . . we will have recourse to a very simple process. First, we will collect and examine all passages where the hearers of our Saviour *erroneously* take his figurative expressions in the literal sense, and raise objections in consequence of it, and see what is his conduct upon such occasions.

token of the *animus* of our Cambridge Aristarchus, that even this trivial error, or misprint, cannot be pointed out, without a sort of pedantic stiffness. (p. 94.) He has misquoted St. John at p. 207; we shall not carp at the mistake. But if he could have no confidence in anything without a vigilant enquiry, and yet, "on looking over the passages cited by Dr. W., observed *nothing*, in a literary point of view, requiring notice, except the [aforesaid] quotation from Martial," (p. 93,) what is to be said of his *veracity* in plainly intimating, at page 150, "that from some motive or other, Dr. W., in drawing up his lectures, *must have intended NEVER* to quote correctly?" The Dean of Peterborough is in sad want of a good memory.

* W. 85-91.

† T. 112, et seq.

Secondly, we will examine instances where the Jews rightly understand his words in their literal sense and object to them, and see how he acts in such circumstances. We will then apply the rules thus drawn from our Master's usual conduct, to the instance before us, and see to which of the two classes this belongs,—to that where the audience was *wrong*, and where it was *right*, in understanding him literally.”—*Lectures*, p. 94.

Now, from a great variety of instances, it is shown, first, that in those cases where objections were raised to his doctrines or precepts, in consequence of misconception of his words, even where the misconception involved no serious error (as Matt. xvi. 7, 8), our blessed Lord instantly explains them by removing the figure: secondly that, on the other hand, in those where his words were rightly understood in their literal sense, but the doctrine conveyed in them was impugned, he repeats them. It is not to be expected that in such a variety of instances as the Lecturer brings to bear upon his subject, all should be *equally* conclusive; still, there is not one adduced which does not tend to establish the justice of that principle for which it is respectively alleged. This, of course, Dr. Turton denies: after some discussion on the first of the nine adduced, he pronounces on the remainder that “they form a series of the most wretched arguments he ever recollects to have seen employed by a man of talent and information.”* If they be of this nature, it is hard to conceive why the Doctor should have yielded a palpable advantage to the Lecturer by authorizing him to complain of a material alteration in his text:† if the learned critic, though fain to pass them over without notice, engaged “to produce them in rapid succession,” it became him to act honestly.

We refrain from interfering with the discussion of the Scripture texts in question, for this obvious reason; that, as we believe them not wretched arguments, but, collectively considered, a certain demonstration, we could not do justice to them, and, at the same time, “produce them in that rapid succession” which would be expected in a Review. We take up, therefore, the closing topics of the third lecture, and exhibit them summarily. The author states and combats objections alleged against the two foregoing canons which he has deduced from our Lord's practice. The first objection is drawn from our Saviour's teaching by parable. He replies, “that

* T. 139.

† Compare “*Lectures*,” p. 97, with Turton, p. 140, and the latter with p. 110 of the same work.—See “*Reply*,” 147, et seq.

teaching in parables, so far from being a course selected [as the objection supposes] by Jesus for the purpose of concealing his real dogmas, was, in fact, a method of instruction forced upon him by the habits and feelings of his countrymen, and the practice of the Jewish schools; that his parables themselves were of their own nature *sufficiently* intelligible and that, in fine, they were *sufficiently* understood by his auditors.”* There is truth in these remarks, blended, however, with what appears to us questionable. We have Mark iv. 11-14, and Matt. xiii. 34-37 in view, and are reminded of the contrast between ἐν παροιμίαις λαλεῖν and παρρησια ἀναγγέλλειν (John xvi. 25), which supposes the obscurity of parables. The author has guardedly described our Lord’s parables as being *sufficiently* intelligible and *sufficiently* understood; and certainly no false impression seems to have been occasioned by parabolic language, without its being immediately rectified; and our author’s first canon remains, therefore, so far unimpeached. But it is left to arbitrary conjecture to determine what in a given instance is the sufficiency of clearness, or of apprehension. In the case above cited, the apostles were not satisfied till the allegory was expounded; and, from the interpretation, they, doubtless, learned something with which they were previously unacquainted.

The lecturer proceeds to notice at greater length, two other objections: one taken from our Lord’s silence, when (John ii. 20,) the Jews erroneously interpreted of the temple wherein they were standing, what he spoke of the temple of his body: a second, from his allowing the Samaritan woman’s misconstruction of his offer of “living water,” (John iv. 10,) to pass without rectifying it. He shows convincingly, that the silence in these two instances, does not contravene what he has deduced from our Lord’s practice, or negative the first of those canons which he has laid down:—not in the former instance, because our Lord was uttering a prophecy which, pending its accomplishment, might be left in obscurity,† not delivering a doctrinal instruction which required to be understood;—besides that he used an expression, whose metaphorical import was familiar to those whom he addressed (which cannot be

* W. 104.’

† “As to the enigmatical character of the expression, we must remember, that it is a *prophecy*. And all the prophecies of Christ in the New Testament, even when they bear reference to individual circumstances, have some obscurity. Thus, John xxi. 18, 22: and the comparison with Jonas. Matt. xii. 16.” Tholuck in loc. (Ed. 1837.) See also St. Chrys. Hom. 23, prope fin.

said* of the expression, John vi. 53,) and probably accompanied it with a significant action, by pointing to his own body. Whether this conjecture, which is adopted by many commentators, be admitted or no, and whether we suppose that this indication of his meaning was overlooked by those who took up his words immediately with the remark on the length of time employed in rearing the building, or whether we discard this supposition and the foregoing conjecture altogether, there is no parity between the case of the crowd in the temple and that of the audience at Capharnaum. So also, the woman at the well might be left for a time in her mistake; or rather, her levity† might be suffered to pass without comment, it being our Lord's design at that point of time‡ not to instruct, but 'to stimulate her curiosity concerning him . . . and to make her his instrument for the consequences which followed.'§

We have it in our power, for once, at least, to agree with Dr. Turton. He closes his third section by observing, that "it must have put the reader's patience to the test."|| It has, indeed:—we are weary with its perplexity, we are disgusted with its unfairness. Of the former, we shall make no farther complaint: of the latter, we shall point to one or two flagrant examples. First, it seems all one to him, whether opinions recorded in the lectures be adopted by the lecturer or no. His criticism seeks an unbounded range and disdains vulgar trammels. Therefore, he sets himself to disprove the distinction imagined by some commentators between "understanding" and "believing." It is most manifest, from comparing p. 108 with 110 of the lectures, that the author does not coincide in the views taken by those commentators:—Dr. Turton, however, complacently "*presumes*, that the distinction is taken with Dr. Wiseman's approbation."¶ In the same spirit he deals with a note,** consisting of a mere quotation from Storr and a reference to Kuinoel. The lecturer is

* One fixed and recognized metaphorical signification that expression had, as we have already seen; we need not observe, that the Capharnites did not apply it. This our adversaries will allow.

† Nothing can be more unfortunate than the professor's criticism here. He evinces, as Dr. W. shows, (*Reply*, 177,) a want of acquaintance with commentators, or gross inattention to those which he reads or quotes.

‡ Any attentive reader will see, that this restriction, though not expressed, is implied in the passage:—in fact, Dr. T. seems to admit that it is (p. 184.) All his solemn criticism, might therefore have been dispensed with: and his reference to a passage which occurs in a *subsequent* part of the conversation, (v. 23, 24,) is perfectly irrelevant.

§ W. 113.

|| T. 184.

¶ T. 172.

** W. 107.

no farther answerable, than for transcribing the one and directing the reader to the other. The reader of Dr. Turton's volume would hardly think so;*—but would suppose, that the hypothesis therein broached, was Dr. Wiseman's, or proposed with his "approbation." Upon turning to the lectures, it will appear quite otherwise. But it was not enough for the Regius Professor to transcribe this "curious specimen of exemplification,"—he must break a jest upon it; and for the sake of the jest, this reverend divine, who asserts that "he feels the consciousness of having represented every thing fairly," falsifies the quotation in his comment.

Dr. Wiseman's avowal of his conviction, that our Lord in his answer to the Jews, spoke not only of the temple of his body, but alluded to rebuilding the temple before him, (or to restoring a more perfect temple, not built with hands),—this avowal of a conviction perfectly innocent in itself and calmly supported by reasons, is made the occasion of a most insulting outbreak. In his Reply,† he maintains the double advantages of argument and good temper against his passionate and exceptionable adversary. For our own part, although, after considering the passage again and again, we believe it to have exclusively that signification which the Evangelist has noted;—we see nothing reprehensible in inferring from the circumstances under which the words were uttered, and even from the expression used by the witnesses, (Mark xiv. 58,) (though this last seems a feeble argument,‡) that our Lord spoke not *only* of the temple of his body, *but also* of the sacred edifice and the dispensation connected with it. If Dr. Wiseman is on this account traduced as "*caring little* for St. John and supporting a meaning *in opposition* to St. John,"§ the insult thus recklessly thrown falls upon others also.||

* T. 170.

† P. 173 et seq.

‡ The treatment which Dr. Wiseman has received on this account, must have the indignant reprobation of every upright mind.

§ T. 178.

|| For example Grotius, who says, "Sunt autem verba Christi talia ut et de Templo possint intelligi." St. Athanasius frequently alleges the text as a proof of our Lord's power over death, and points to the evangelist's explanation:—but in his fifth discourse against the Arians, (l. 545 et seq. Ed. Colon. 1686,) he evidently supposes an allusion to the edifice or to the ministrations connected with it. He applies Prov. ix. 1, to the incarnation of the uncreated wisdom, and then referring to Heb. iii. 6 and the apostle's use of the word temple, (2 Cor. vi. 16, &c.) as appropriate, goes on to observe, that of this temple, an image was built by Solomon; that the image naturally ceased when the reality appeared: that the Jews mistaking what was but an image for the reality, were bent upon destroying the veritable dwelling, (Christ's incarnate body,) and that our Saviour,

The observations at pp. 109 and 110 of the lectures, demand a word of comment. Viewing those observations in connexion with what has been laid down at p. 102, we feel bound to say, that the lecturer has weakened his position by them. We readily allow the discrepancy between John vi. and the case under dispute; we will not say that our Lord was bound to answer the objections of the Jews, but we will assert, that a gracious teacher might be expected to explain his words in *all* cases where his hearers, misunderstanding them, raise objections against the doctrine propounded in them;—and that silence in these circumstances, would be a species of countenance to error. The *prophetic* nature of our Lord's declaration was a sufficient reason for his silence in the case we are considering. To this satisfactory remark,* we wish our author had confined himself;—it is clear, and meets the objection at the threshold. The rest of the paragraph, and especially the distinction there proposed, opens the door to a captious adversary. Dr. Turton has not neglected to avail himself of the favourable conjuncture;†—and we candidly admit, has advantaged himself by it.

In his fourth lecture, the author proceeds to analyze in detail the expressions of our Lord's reply to the Jews, who had taken the words of his promise in a literal sense, but denied his power to fulfil that promise. This fourth argument is a well-reasoned induction, from the marked and expressive manner in which the contested doctrine is immediately inculcated, namely, by precept, laid down in a *double* form, as is the case with the precept of receiving baptism, (Mark xvi. 16):—from the distinction made in the discourse between eating the flesh, and drinking the blood, of Christ:—from the emphatic asseveration which introduces the sentence, wholly unnecessary, unless the sentence was intended to meet the question which the incredulous hearers proposed:—and from the reite-

knowing their daring purpose, said, "Destroy," &c.—"*plainly showing that men's elaborate works are speedily dissolved, for unless the Lord build the house,*" &c. (Ps. cxvii.) "*Thus what belonged to the Jews is destroyed, for it was a shadow, but what belongs to the Church is firmly fixed, for that is founded on a rock, and the gates of hell shall not prevail against it.*" ΣΑΦΩΣ ΔΕΙΚΝΥΣ ὥς τὰ πρὸς ἀνθρώπων σπουδαζόμενα αὐτοθεν ἐχει τὴν διάλυσιν. [The psalm is quoted] τὰ τοίνυν Ἰουδαίων λέλυσται, σκιὰ γὰρ ἦν, τὰ δὲ τῆς Ἐκκλησίας ἡδρασται, τεθεμελίωται γὰρ ἐπὶ τὴν πέτραν κ. τ. λ. This passage is clearly in Dr. Wiseman's favour. We hope Dr. Turton has sufficient respect for the heroic asserter of that cardinal doctrine which St. John has so amply proposed, to spare *him* the insulting imputation of 'caring little' for the inspired writer.

* W. 110.

† T. 175 et seq.

rated assurance, that his flesh was meat *indeed*.* The fifth and last argument is drawn from the murmurs of the hearers and the reply to them, the desertion of the teacher by many of his disciples, and our Lord's subsequent touching appeal to the twelve, with Peter's devout protestation. These topics are familiar to those who have read any good controversial work on the Catholic side of the question, and there is nothing therefore which calls for especial notice, except it be the author's incidental illustration of the word *σκληρος*, and his clear proof, that the angry exclamation at verse sixty-one, can have no other meaning than this: "This is a *harsh* and *revolting* proposition, and who can bear to listen to it?" We do not recollect, however, any summary of all the arguments derived from St. John, so clearly stated, as in pages 128—132. We earnestly commend the passage to the best attention of the Protestant reader who is in search of Scriptural truth.

Let us now see how Dr. Turton has dealt with the two arguments of which we have just given the outline. He ushers in his fourth section with the following rhetorical exordium:—

"A large mass of well-consolidated error is not easily rent to pieces; while a *congeries* of errors gliding away from each other by their mutual action, only requires the removal of external compression, to be reduced to a *state in which it can no longer impose upon the world*. Had Dr. Wiseman's hypothesis," &c. (p. 185.)

To which exordium is, as matter of course, appended a confident appeal to the proof already exhibited by him of Dr. Wiseman's "flagrant mistatements and fallacious reasonings."

There is a passage at p. 239, which we think it fair to place in juxta-position with the above.

"Dr. Johnson has somewhere avowed an opinion that *no credit* is due to a *rhetorician's* account of good or evil; an opinion which has preserved *me* from many a mistake. When perusing a treatise on a subject, the real merits of which (subject or treatise?) can be discovered only by accurate investigation, *I no sooner* arrive at a piece of oratory, than I suspect that all is not right: and *immediately* endeavour to divest the materials employed, of their magnificent habiliments, in order to ascertain their intrinsic worth."—Turton, 239.

Much might be said on this self-laudatory paragraph. We shall content ourselves with remarking, *first*, that as it was

* "While the Jews understood our Saviour to speak of *really* intending to give them his flesh to eat,—if they were wrong, can we suppose him to answer them, by saying that his flesh was *really* meat?"—p. 121.

our witnessing the rhetorical skill of the Dean of Peterborough, that first inspired us with distrust—we do not say absolute disbelief—in his “account” of Dr. Wiseman’s book, so (for a similar reason,) we strongly “suspect,” that in the section we are about to review, “all is not right.” *Secondly*, whilst we thankfully acknowledge the hint which has been of use to us on more than one occasion during this enquiry, and congratulate him on his having been preserved from *many* a mistake;—we marvel at his omitting to observe “when perusing” his own “treatise,” that the “rhetoric” had often displaced the logic, and, far too often, *something* incalculably *better* than either logic or rhetoric. But, so it is.

Peras imposuit Jupiter nobis duas :

* * * * *

Hac re videre *nostra* mala non possumus.

Well, then, “*respicere ignoto discet pendentia tergo.*”—“All is not right,” surely, when with an insulting fling at the sort of ecclesiastical discipline to which Dr. Wiseman owes the character of his mind”* and expressions of pity intended, we suppose, to imply scorn, the lecturer is rated for omitting the 58th verse in his analysis of the expressions in our Lord’s reply:—a bare inspection of the lecture being sufficient to convince any one that the author proposed to consider only such phrases as presented him an additional argument. His *argument* required no more:—he was not writing a commentary:—if the verse in question or the preceding words (which are also unnoticed in the analysis) can furnish Dr. Turton with a counter-argument, by all means let him use it:—but, to act as he has done, is to exceed the license even of a rhetorician. The counter-argument of Dr. Turton is this: at v. 32, the Jews speak of the manna as ‘bread from heaven:’ our Lord replies, that it was not the true bread from heaven; that he is come to give that true bread, that (vv. 49, 50,) whosoever eat thereof should not die, but (v. 58,) should live for ever. So that v. 58, as well as verses 49 and 50, bear direct reference to v. 31. ‘Our fathers did eat manna,’ &c., and the eating and drinking spoken of throughout the discourse is entirely spiritual.† Such is Dr. Turton’s argument. We believe we have represented him fairly: our *only* reason for not quoting the passage in full is our confined space. Now, in answer, it may be sufficient to remind Dr. Turton, *first*,

* T. 204.

† T. 202, 203.

that he has ingeniously slipped out the reply made to the Jews in v. 32,* and thus eluded an argument of the lecturer's, grounded on the distinction of the two Givers.† *Secondly*, that "whereas our Lord in a foregoing verse styles himself the bread coming down from heaven, (contrasting himself with the manna,) inasmuch as he descended on earth to redeem us,—in the 58th verse he declares himself the heavenly and life-giving bread (in contradistinction to the manna again) inasmuch as he gives us verily his body and blood for food. *There*, the subject of the discourse is the heavenly bread which the Father has given us in his Son: *here* it is the heavenly bread which the Son has given us in his body. And, as the Father has given us himself in his Son, so has his Son given us himself wholly in his flesh."‡ This is sufficient, and more than sufficient, in answer to Dr. Turton's argument, or, (to speak more properly,) theory. That theory was, in fact, obviated at an earlier stage by the lecturer:—so that the outcry against 'passing over a verse of the utmost importance, without the *slightest* notice,' is more rhetorical than just.

"All is not right" either in his criticism of the author's inference respecting the word ἀληθῶς. He has "passed over without the *slightest* notice," a preliminary admission of the lecturer, which it was but bare justice to record,§—for it is one among the many instances of his candour as a disputant, and has a reference to the question in hand:—and he has been so far carried away by the determination to contradict his opponent, as virtually, (though no doubt, unintentionally,) to surrender the argument which the believers in Christ's divinity draw from several texts in which the word occurs, into the hands of the Socinian.||

We have now to consider the Regius Professor in the character of a *dogmatist*. He acts the part admirably: for, whilst he is rigidly severe in condemning the supposed mistakes of others, he is peremptory in insisting upon his own notions. On the one hand, he requires his opponent to abide by such authority as he is pleased to allege; on the other, he dispenses, whenever it suits him, with any authority but his own αὐτοῦ εἶπα. "Jura negat sibi nata, nihil non *arrogat*."

* "My Father giveth you the true bread," &c.

† W. 58. "The bread that I will give you," &c. v. 52.

‡ See preceding verse (58 of Vulg. or 57 of Gr.) The quotation above is from the 'Commentary on the Gospel of St. John,' by Dr. H. Klee, (Mentz, 1829,) an excellent work, which we take this opportunity of recommending to our readers.

§ See Reply, 187 and note.

|| See Reply, 188.

None must dispute his conclusions under pain of being condemned as irrational : as none must propose an opinion which *he* does not think proper to admit, without incurring the penalty of his vituperation, which, we need hardly remind our readers, is any thing but gentle.

For the understanding of the subject whereon we are entering, it will be necessary to have the disputed text in view ; and, to spare the reader the trouble of turning to the Bible, we give that text below.* After he shall have read it, we will call on him to say to what does the murmuring remark of the disciples apply ? at what did they murmur ? Wherewith does our Saviour's short question suppose them to be offended ? Surely the offence was taken at, and the murmuring censure directed against, the doctrine propounded in the verses *immediately* preceding. The text is too positive to allow us to think otherwise. Therefore, our Lord's *subsequent* words,—his allusion to his ascension, his contrast of the spirit with the flesh, &c., can bear reference only to the murmurs just specified, the scandal lately taken. “Doth **THIS** scandalize you ? What, if ye shall see,” &c. Now, this Dr. Turton will not allow ; but confidently asserts, that these words of our Lord are given in answer to objections alleged at an earlier stage of the discourse,—in fact, to the allusion to his mean earthly extraction recorded *twenty* verses before, and to the question, “How can this man give us his flesh to eat,” which occurs at the tenth intermediate verse (v. 52):—the allusion to his worldly parentage being answered by an appeal to his future ascension to his previous dwelling ; and the incredulous question by the contrast between the spirit and the flesh :—our Saviour's words being in effect, a declaration that “eternal life is communicated by the spirit, that the spiritual life could only be given and maintained by his spirit ;” and his concluding expressions, “aptly referring to all that he had previously declared of himself and his doctrines, being through faith on the part of his hearers, the certain source of everlasting life.”†

“This “congeries” which the dean has laboriously piled, of

* John vi. 60. “Many therefore of his disciples, when they had heard (this) said : **THIS** is a hard saying ; who can hear it ? When Jesus knew in himself that his disciples murmured at **IT**, he said unto them, doth **THIS** offend you ? What and if ye shall see the Son of man ascend up where he was before ? It is the spirit that quickeneth, the flesh profiteth nothing : the words that I speak unto you (they) are spirit, and (they) are life. But there are some of you that believe not.”—*Prot. Version.*

† T. 206—211.

which the whole credit is due to him, and which has given him no small satisfaction, has* been “reduced to a state in which it can no longer impose,” if, indeed, it could ever impose upon any one but him who reared it. In no way can Dr. T. assert his exploded *theory* (for it is nothing else), but by discarding all received rules of interpretation, and claiming, as a dogmatist, emancipation from those rules with which he so imperiously insisted on fettering his opponent. His fate on the present occasion may remind him of the poet’s warning—

Nunc audax cave sis

 Ne pœnas Nemesis reposcat a te
 Est vehemens Deæ ; lædere hanc caveto.

In the hope he will remember it in future, we proceed to another topic. Estius and the annotator of the Rhemish Testament are again brought on the stage; and because Dr. W.’s interpretation of the sixty-third verse does not agree with theirs, he is charged† with “fabricating and devising an interpretation for himself.” This charge is the more absurd, because Dr. W. has corroborated his interpretation by ample quotations from Kuinoel and Schleusner, and a long list of authorities on the subject.‡ Most unluckily, too, for the credit of the dean’s scholarship, this interpretation which he charges Dr. Wiseman with fabricating, appears to have been preferred to all others by St. Chrysostome, and long before him adopted by St. Cyprian and Tertullian!§ The good old rule for fiction is, let it be plausible or probable:—in the present instance extravagance has gone its utmost lengths. The imputed fabrication consists chiefly, if not solely, in this: in the verses preceding that under consideration, the word *flesh* is, as Dr. W. contends, to be taken literally; in verse 63, he maintains that it signifies “the corrupted dispositions and weak thoughts of human nature.” There is nothing *arbitrary* or *inconsistent* in this mode of explanation;—for, first, “the terms *flesh* and *spirit*, when opposed to each other in the New Testament, have a definite meaning, which never varies;” this is clearly demonstrated.|| Secondly, a word *may* surely

* Reply, 192, et seq.

† T. 213, 214.

‡ W. 142, et seq.

§ See Reply, 201, et seq.—After this, we do hope Dr. T. will condescend to soften his vituperation, or be more guarded in its use: “If I were desired to produce from commentators on Scripture what I considered to be the *worst* interpretation—the most inapplicable to the text attempted to be illustrated—I should *despair* of finding *anything* more unfortunate than what has now been proposed by the learned author.”—Turton, p. 214.

|| W. 141.

vary in meaning in the short space of a few lines: the word "man," for instance, may be taken for the whole species in opposition to "angel," and subsequently be confined to a more limited signification, being joined to the word "woman." The contrast in the first instance, the connection in the second, determines the signification. We do not offer this as a strictly parallel example;—we might, perhaps, have given a better illustration; but *even this* will show the futility of objecting to the acceptation of a term that "heretofore another meaning was affixed to it."

In the *Lectures*,* Dr. Wiseman had animadverted upon Dr. Hampden's distinction between a real vital presence of Christ and a corporal presence in the holy sacrament, and had asked "where in Scripture is this distinction drawn?" Dr. Turton undertakes to show; and, after quoting a text, to which we shall presently advert, and our Lord's promise of not leaving his disciples orphans, but coming to them, and, together with his Father, making his abode with them,—strikes up the old tune which, we must say, has, by this time, become more wearisome than street-music. We transcribe Dr. Wiseman's remarks on the principal text alleged.

"They† answer by referring to Matt. xviii. 20, where Christ says, that where two or three are gathered together in his name there is he in the midst of them. Do these gentlemen then mean to say that Christ is present in this manner in the Eucharist? or that no other species of presence is implied by our Lord's saying, that his flesh and blood, or his body is there? When the apostles were assembled together after his resurrection, he was certainly there in the midst of them, by virtue of that promise; but had it been told to Thomas 'the body of Christ, or his flesh and blood, have been amongst us,' he certainly would not have ever understood that they meant nothing more than the spiritual presence promised in St. Matthew."—*Reply*, 217.

The paragraph to which these remarks apply, is succeeded by that estimate of a rhetorician's credibility which we have already quoted and *applied*, though not to the extent that the occasion warranted. We have now passed in review the chief points at issue between the Lecturer and Dr. Turton, in the *first* part of their respective works. The discussion on St. John is the most elaborate and valuable portion of the *Lectures*, and has principally engaged the attention of their

* P. 146.

† Dr. Turton's views are similar here (as in several other places) to those of "Philalethes,"—an opponent, who generally treats Dr. Wiseman with courtesy. Our limits restrict our remarks to Dr. Turton.

adversary. It appeared to us that we should best acquit ourselves of our duty as critics, in taking a consecutive view of this main branch of the controversy, and candidly exhibiting the opposite statements or reasonings, on the most material points. On the two remaining classes of Scriptural proofs—the former derived from the words of institution, the latter from the doctrine of St. Paul, we cannot at present afford time to dwell. We may, however, take occasion to observe, in passing, that in his *Reply* the learned Lecturer has, in our judgment, as satisfactorily vindicated himself on matters connected with the two last, as on those relative to the first of the three sections of his work, and convicted his adversary of the greatest unfairness.*

In the ninth chapter of the *Reply*, we have some excellent observations in reference to an objection proposed by Dr. Turton and *Philalethes*. The objection is this. The conversion of bread and wine into flesh and blood, must be regarded as a most marvellous work. But whereas all other changes specified in the Gospels as miraculous invariably struck the senses, the supposed change in the Eucharist was in contradiction to senses. What they attested (and alone could attest) *before*, they attested *after*, the words of institution had been pronounced. And the apostles would habitually judge of our Lord's miraculous power by its visible effect. When, there-

* We will specify one instance.—“Can *transubstantiation* be conclusively proved from Scripture testimony *independently* of Church exposition?” Bellarmine declares himself satisfied that it *can*: but, in deference to certain acute and learned men, and particularly to Scotus, allows his own opinion to be open to question, and that there is some *show* of reason for saying that it *cannot*. (Non est omnino improbabile.) Scotus considers transubstantiation to be manifestly proved from Scripture expounded by the Church in council. Observe, the question turns *entirely* on the sufficiency of bare Scripture texts to prove what they both believed, as all Catholics do, concerning the *mode* whereby Christ's body is present in the sacrament. That the Catholic doctrine of the *real presence* could be established by Scripture alone is not called in question by one or the other of these divines. Now, reader, mark Dr. Turton, who “feels the consciousness of having represented everything *faithfully*,” and who positively “entreats” you “to close his book, and never to consider another sentence which it contains as worthy of the *slightest* notice,” “if there should appear to you”—we take for granted that you are “intelligent and impartial”—if there should appear to you “a *single* statement designedly incorrect.” Mark Dr. Turton's statement here. “*Duns Scotus . . . could not discover*, as Dr. Wiseman can, that the **REAL PRESENCE** in the Eucharist *may be deduced* from Scripture. Bellarmine . . . was aware that learned and able enquirers *may have reason* (!!) not to be convinced by the proofs usually alleged for the *same* doctrine” [i. e. of the *real presence*].—Turton, 291. In the following page, this gentleman speaks of Dr. Wiseman as “*one who is scarcely right even by accident !!*” We shall not undertake to say whether in this, and more regarding Bellarmine, the courteous dean was *wrong* “by accident.”—See Reply, pp. 242-5.

fore, they perceived no change, they would never suppose that the power had been in operation. We will now quote from the *Reply*.

“Do these Theologians mean to say that our Lord so completely constituted the senses of his disciples, judges of his miraculous works, as that even his word alone, conveyed through that sense through which faith comes (Rom. x. 17), was not to have weight without their concurrent testimony? Could he reserve to himself no one case in which their faith might have been tried upon his word alone, without their confirmatory evidence? Could not Jesus have cured an internal, hidden complaint—as a pulmonary or hepatic affection, which exhibited no outward symptoms, and would not the apostles upon his simple word, ‘Be thou made whole,’ have believed the invisible cure to have been wrought? But these gentlemen will say, the question is not an abstract or hypothetical one, of what our Lord might have chosen to say, but of what, from the Gospel, we know that he actually did say, ‘The apostles would habitually judge of that power, by its visible effects.’ Let us see if this be the case; that is, whether the apostles were not often placed in a situation where they must have believed a miracle to have been wrought upon their Divine Master’s word, without evidence of the senses.”—p. 249.

That they were so placed, he shows by many clear examples;—as of the woman with the issue of blood (Luke viii.), the woman of Canaan (Matt. xv.), the Centurian (Matt. viii.), the ruler (John iv.)

“Still they will urge, in all these instances the senses *could* have acted; and if brought to the enquiry, would have confirmed the words of our Lord. Hence, Dr. Turton takes the question farther back, and, with some precautionary phrases, makes this argument: “Christianity was, by divine appointment, founded on miracles, that is, on events of the truth of which the senses of men were the judges.” (p. 300.) Therefore, it is not to be imagined, that anything should be proposed for our belief relating to objects of sense, which is in contradiction to the senses. This argument is treated at some length, but its pith is here. Let us examine it.”—p. 250.

He shows, from several reasons, that the Eucharist, though containing in it the greatest, the sublimest, miracle, is not a miracle in the sense in which Dr. Turton considers the term; and that, therefore, the parity does not hold. It “cannot be called a *miracle*, in the usual acceptation of the phrase; it is a *mystery*, itself the term and object of faith, and in no wise intended for its evidence.”—p. 252.

“But then Dr. Turton will not hear of our considering it a mystery, such as the Trinity or Incarnation. As, however, his argument on this subject is confined to the former of these two mysteries,

which does not regard objects cognizable by the senses, I will rather say a few words on the latter. Let us look upon the incarnation of our Lord, not in that point of view which regards the ineffable union between the eternal word of God and the human nature, but as respects the formation and assumption of this nature in the virginal womb of Mary. I approach the subject with all due reverence, and say that conception was a thing subject to the test of experience, from the commencement of the human race till that hour; and, as much as human testimony could assure the apostles that whenever the senses experienced the accidents of bread—to use the school terms—the substance was there too; so much did that undeviating testimony assert, that whenever a new human body was formed, it was formed by the efficacy of certain invariable laws. Yet, upon the simple declaration of an angel of God, that what was born in Mary was through the Holy Ghost, we set aside the entire experience of all ages, regarding, mind, a physical law, of which experience was the legitimate test on every other occasion Now this suspension of the ordinary laws of constituted nature, this contradiction to the sole test or basis of these laws . . . was surely miraculous to the highest degree: but who would call it no more than a *miracle*, of the same class as the raising of a paralytic from his bed, given like this in evidence, or to be discussed upon the same principle of investigation and proof, apart from the divine revelation? The fact is, this is a *mystery*, part of the mystery of the incarnation,—it is itself an object of faith, and, as such, withdrawn from the sphere of all philosophical scrutiny.”—pp. 252-4.

He goes on to prove that Dr. Turton's principles on the authority of the senses, and on the right for reason to decide at all times what is credible and what is not, betray religion into the hands of the rationalists.

Thus it is: a man may, unconsciously, go to the verge of a precipice after taking credit to himself of caution, when the danger was merely imaginary;—risk his life after fencing with shadows. A Regius Professor of Divinity at Cambridge may abhor “hermeneutics” even to the name; and welcome infidelity with the most cordial accolade.

We would warn him of the real danger, and dispel his panic fears. Let him be less precipitate, more reflecting. Vague declamations against hermeneutics, coarse reviling and groundless imputations against his adversary will not do. Dogmatism will pronounce its oracles unheeded. Some knowledge of the languages may reasonably be insisted on as an indispensable qualification for the professed censor of a work entering largely into philology. It is not by sneering at system and method in interpreting the Scripture, that a claim to expound it arbitrarily and capriciously, and, nevertheless, in-

fallibly—will be made out. The self-satisfied theorist is amenable to *criticism*, as well as the expositor who proceeds by rule; and his blunders will oftentimes be more gross and ridiculous. Lastly, it is not by “saying the thing that is not,” by altering phrases, and feigning new meanings, which an author never had in mind, or by the suppression of what strict justice requires to be mentioned, that an honourable triumph can be achieved by his censor. No: “plain dealing is the best—in argument, as well as in the general conduct of life; and perversions and misrepresentations, however refined in their nature, and however adroitly employed, tend neither to the credit of the individual, nor to the support of the cause in which he is engaged.”

So says Dr. Turton:* and, leaving the reader to his own reflections and conclusions, we refrain from remark, and desist from citation.

ART. IX.—MODERN ENGLISH NOVELS.

1. *Female Domination, &c. &c.* By Mrs. Gore.
2. *Jack Brag, &c. &c.* By T. Hook.
3. *Seymour of Sudley, &c.* By H. Burdon.
4. *Peter Simple, &c. &c.* By Captain Marryat.
5. *The Vicar of Wrexhill, &c. &c.* By Mrs. Trollope.
6. *Confessions of an Elderly Gentleman, &c.* By Lady Blessington.

SO much talent is now applied to the writing of novels, and so much time to their perusal, that they are become, in fact, works of considerable importance;—whether we consider them as influencing the prejudices and feelings of the age, or as still more certainly reflecting them, it will not, we think, be uninteresting to take a slight survey of the later works of some of the more eminent English novel writers, amongst whom we class those whose names we have placed at the head of this article, and which we shall take as they occur, without reference to precedence of claims. We consider Mrs. Gore to be one of the most elegant and unexceptionable of the female writers of the present day; her style is easy and graceful, the

plot of her stories simple, and yet not careless, and the tendency of her works almost always excellent;—professedly a moral writer, she has not marred her own purpose by taking a too ambitious line. Although she has drawn occasionally from the store-house of wily priests, gloomy superiors, &c. &c. without which few Protestants can make out a story, and which are really as tempting resources as ever were the genii and fairies of olden time, yet she has not systematically meddled with any one's creed, nor dived into the deep recesses of the human heart for pictures of crime and anguish, but has contented herself with delineating, with truth and delicacy, those lighter shades of character by which society is chequered. In her fine appreciation of character, we are reminded of Miss Austin; the latter however was never careless—never gave evidence of writing in haste; her works are each in their way complete specimens of her style, and her characters almost always true to her own conceptions: this is praise which we cannot bestow on Mrs. Gore, in whose works there is great inequality. Decidedly the best of them is *Mrs. Armytage*. In this novel there is little incident; with the exception of the recovery of a lost will, all the occurrences are of the most domestic and ordinary kind; but, simple as it is, the story is admirably managed for the development of the personages introduced, perhaps we should say the *personage*, for Mrs. Armytage is the heroine who truly interests us—stately, high minded, well principled, excellent in many ways—nevertheless, the canker of pride and self-worship, with all the evils of that description of bad temper by which such a character is usually accompanied, are sufficient to create misery to herself and all who surround her. Her impetuous, well-meaning, thoughtless son;—the pretty straightforward affectionate girl, whom he marries in her despite, and who has neither pretensions to give her support in the eyes of her stern mother-in-law, nor tact to deprecate her displeasure,—and her own daughter, who is truly a sweet creature,—all these are by turns the victims of her ill humour, and the torments of her self-willed fastidiousness. Yet this character never degenerates into caricature; magnanimous at heart, she forgives her son for his unsuitable marriage, and supports him when he is chosen to represent the county,—nay more, receives him and his little wife into the house; and poor Marian, connected on all sides with vulgar people, too affectionate, and, unluckily, too much accustomed to themselves and their associates to suspect anything amiss in their manners or habits, is, with her

family, a perpetual thorn in the side of Mrs. Armytage, of Holywell, to whom she very heartily and in all respects prefers them. But, ere long, Marian acquires a wholly new position in her sight. "The future heir—the new Arthur—the Armytage to come—formed a link connecting her indissolubly with the family. Marian was no longer the daughter of a Jack Baltimore—she was the wife of Arthur Maudsley Armytage of Holywell." Alas, while the good lady is contemplating in her mind's eye "the bonfires on Holywell Hill—the beacon on Holywell Tower—the ox roasted whole in Holywell Close—the labouring families feasted at Holywell Cross," the unlucky offender gives birth to a little girl, and what is even more provoking, cannot be brought to see any cause of regret or sorrow, but highly delighted with her baby, determining upon christening it Harriet, "after mamma." It is shortly after this that Arthur finds his wife looking at some papers, which the nurse has brought down from an old wardrobe, that had belonged to the late Mr. Armytage, and which she has taken possession of in the nursery. Amongst these, is a codicil, revoking the disposition under which Mrs. Armytage held the property absolutely, and giving it to Arthur on his coming of age—to his mother only a dowry of 2,000*l.* a-year; the husband and wife, struck with horror at the idea of the effect such a change must have upon Mrs. Armytage, conceal it from her and from one another—he believing that Marian has missed seeing the will amongst the other papers—and she that he had, as she requested, committed the whole bundle to the flames. The secret for some months is faithfully kept; but, during this period, events occur that render it more and more burdensome. The gentle daughter droops and dies. Upon the plea of a promise she had received from her to marry no one whom she disapproved, the arbitrary woman had declined, without even naming them to Sophia, the proposals made to her by her early lover, who, long kept in suspense by the inferiority of his fortune, being now raised to affluence, hastens to declare his attachment, through the medium of the mother, whose pride he thus hopes to propitiate; he is peremptorily refused. Bound to marry within a given time by the provisions of his uncle's will, and stung by resentment at such a rejection of the attachment he knew Sophia to have encouraged, he marries another. Sophia had looked forward to his fidelity and love, as her only hope of escape from her dreary home;—that hope destroyed, she sinks, and the patient

heroism of a religious mind, struggling with an incurable hurt, is touchingly described.

“So often as he could seek her society, without attracting the notice of Mrs. Armytage, the good pastor was by her side, reminding her of her responsibility for the many good and glorious gifts bestowed upon her, exhorting her to be well, to be cheerful, to be happy—and Sophia to her utmost obeyed his injunctions; she was often cheerful, never *well*. ‘My dear doctor,’ she would say, in answer to his reprehensions, ‘I am doing my best, believe me, I am doing my best. But we hear of the difficulty which people who ascend mountains are said to experience in breathing; *just so I find it difficult to live*. The moral air I breathe is too cold and insufficient for my existence.’”—*Female Domination*, vol. iii. p. 45.

Accustomed to *manage* everything, Mrs. Armytage, disregarding her daughter’s wishes, postpones the needful change of scene and air, until it can be procured at the exact moment and in the precise manner which she had arranged in her own mind. Before that time comes, she learns, with horror and remorse, the incurable nature of her daughter’s illness and its cause. Not an instant now is lost,—peremptory even in her anguish, Sophia’s wishes are again set aside,—and the following passage, written in Mrs. Gore’s best manner, must close our account of this character.

“‘My dear mother,’ whispered Sophia, as soon as they were alone together, ‘all this is useless *now*. Let me stay quietly at Holywell, let me die at home. The journey is a needless disturbance. I wish to remain near Dr. Grant. I wish——’ ‘You wish to break my heart!’ cried Mrs. Armytage, giving way to an unusual burst of emotion. ‘You would deny me even the poor comfort of doing my utmost for your restoration to health. A few weeks in the mild climate of Bristol, and your recovery is certain. Will you refuse me the trial of a few weeks?’ And how could Sophia refuse? A few weeks to the mother who had given her life! A few weeks, when she knew that her very days were numbered! ‘Let us, at least, remain at Holywell,’ she still remonstrated, ‘till Arthur and Marian are apprised of our intentions. I should like to see them once more, before ——’ She could not conclude her sentence! But, no! a delay of four days was indispensable to procure the interview. The weather was already chilly, the days short, and the necessity for immediate change of air most urgent. Mrs. Armytage decided that they must quit Holywell on the morrow;—and on the morrow they went. Sophia would willingly have paid one last visit to the village—have entered, for the last time, and, with reverential step, the portals of Holywell Church—have thrown herself once more into the arms of her dear Laura, her childhood’s friend—have

uttered a parting word to her good nurse—a parting blessing to her spiritual teacher. But Mrs. Armytage decided that all this was not to be; and Dr. Grant, kindly coinciding in her desire, would not even allow his girls to show themselves at the vicarage window, as the carriage passed its gates, lest the excitement should prove injurious to his young friend. *He*, indeed, watched it unseen—*unseen*, observed the wistful glance cast by Sophia towards the eastern window of the church, where glimmered the marble monuments of the family of Maudsley—where lay the grave of her father. But he heard, also, the blessings poured upon her name, as he slowly followed the progress of the carriage through the village. He heard the prayers of the poor for her recovery. He saw both old and young turning within their doors to weep that they had looked, perhaps for the last time, on the pale face of their benefactress, and he saw that all was well—that the servant of the Lord might depart in peace—that her burthen had been nobly borne.”—*Female Domination*, vol. iii. p. 112.

We must follow the story a little further, to give an idea of its development. Arthur discovers too late his mother's unjustifiable assumption of power, and while his heart is suffering most keenly, he is further irritated by her attempt to make mischief between him and his wife, and to construe some little carelessness in Marian's conduct into gross impropriety; she commands them to quit her house; he declares it to be his own; his gentle wife, in whom is sweetly developed the depth of character that often lurks in an untried, unconscious girl, strives in vain to prevent the utterance of his secret, and thus betrays to her astonished husband the fidelity, the conscientiousness, with which she has refrained from seeking to avail herself of—from even alluding to her rights;—but the passions of both are too much excited. Before the dawn, Mrs. Armytage has left the house to try the question with her son, as her antagonist,—resisting all his efforts to be reconciled—to atone for what had truly been the fault of a moment. Casting off the friends that venture to support, or to plead for him, the proud woman, when the cause is decided (as it speedily is) against her, finds herself alone in the world, and becomes conscious that a mortal disease, of which she had before suspected the existence, has taken hold irrevocably upon her frame. She flies to hide her anguish on the continent; she travels long—long her pride bears her up against sorrow, sufferings, and remorse, but it gives way at last; in loneliness and deep humiliation, the natural affections, that had so long been baffled and suppressed in her heart, resume their sway; and, when her son (who has learnt, through a stranger, her situation)

flies, with the despised and rejected daughter-in-law, to console and succour her, she tenderly receives them, and herself proposes to return with them, as a guest, to the house where she had been used to reign despotically and alone.

“ ‘ Do not mistake me,’ she says to her son, when he ventures to jest with her on her sudden accession of grandmotherly tenderness ; ‘ it is *not* the heir of Holywell (Marian has given birth to a son and heir) upon whom I am desirous of bestowing my blessing ; it is Arthur, the son of Arthur, the grandson of my own Arthur, whom I long to clasp in my arms.’ ”—*Female Domination*, vol. iii. p. 347.

And true to her renovated character, supported by religion, patient in her sufferings, fervent in her gratitude for the assiduous care of Marian, now truly her daughter, she expires in the bosom of her family. In the drawing of this character, there is much of sound morality ; and the authoress has done it justice by the minuteness of her observations upon character—the sudden fluctuations of temper, where a generous nature is struggling with pride, always sensitive and alive ;—the thousand minute fears, and restraints, and difficulties, that alternately irritate and depress those who surround her, even while forced to respect her high-principled propriety—all these are so admirably described, that Mrs. Armytage becomes, in our mind’s eye, a character with whom we are acquainted. It would have been well, if Mrs. Gore had confined herself to that species of interest which her story is well calculated to inspire ; but this she has not done ; her book is disfigured by a tribe of flippant and flimsy personages, in general representatives of fashionable society, who, as they would, in real life, have been most unredeemably tiresome, are quite well enough described to be so in fiction—they are often cleverly hit off—and may be very tolerable mimicries of idle, good-for-nothing people, whether in high life, or any other life ; but whole pages of dialogue between such characters, is a heavy drag upon a story, and too essentially insipid, to be much relieved by a few smart touches, or even by the unravelling of spiteful feelings or petty manœuvres. This is a great blemish in Mrs. Gore’s works generally. In *Mothers and Daughters*, it forms not only a blemish, but the whole ground-work of the story ;—true, the moral of the book may serve as an excuse for this superabundance of frivolity ; to expose the plots and precautions of match-making mothers, and their hardened girls, and to hold up, as a warning, the failures, disappointments, and mortifications, from which no skill can save either the one or the other, would seem a serviceable object, and has been pur-

sued with unquestionable ability; but, the fact is, it is too much for most people's patience to read about them through three long volumes,—and the disgust and weariness which we feel for the unamiable heroines, and their whole society, we are in some danger of attaching to the book itself, skilful as we acknowledge it to be in every delineation. Unluckily, Mrs. Gore is tempted, by this facility in sketching, to destroy the unity, even of her most tragic stories, by multitudes of unmeaning characters, who have no reference to its development. And to this is owing the occasional heaviness and tediousness of works, which are otherwise as interesting from the knowledge they display of human nature, as they are elegant and lively in their style.

Theodore Hook is a most amusing writer, full of animal spirits, and keenly alive to the ridiculous; he has seen much of the world; and we do not mean to be invidious, when we say that his own turn of mind has led him to contemplate, with peculiar zest, its absurdities, and especially those which take the form of vulgarity. Whether natural, or arising merely from circumstances, he is alive to every shade of this quality, or absence of qualities, whichever we must designate it; he thoroughly enjoys the description of it; and we doubt whether any of its characteristics have been too minute to escape his attention, or too broad for the delineation of his free and fun-loving pen.

Take, for instance, Jack Brag and his father-in-law, what exquisite specimens in their way! We fancy, while reading the adventures of the rattling hero, that vulgar cockneyism has in him reached its highest point, that it can positively go no further, until our introduction to the father-in-law, whose surpassing low-lived littleness, no pen but Hook's could have done justice to. The mother, in a somewhat broader style, is equally complete; and Jack's associates, whether in his own rank, or in that to which he so adventurously introduces himself, are all upon a graduated scale,—specimens of some shade or other of the same pleasing characteristics. To this we could not object, were this style of writing confined to a single novel, written apparently for the express purpose of chastising upstart pretensions; but, unfortunately, it is this author's natural style, and he does not possess the power of rising above it. Something there is in his own mind so opposite to refinement, that he fails entirely, when he attempts to pourtray it,—and, in his hands, the characters on the scenes which are meant to be "*genteel*," become as flat, and as nearly *non-entical* as can be well imagined. His views of life, if we abstract from

them the broad drollery which amuses us, are essentially *low*—vulgar in the true meaning of the word, without reference to merely conventional distinctions.

Of the moral of his novels, not much need be said; they having, in fact, none other that we can find out than to quiz all manner of pretension, and to raise in his hearers a hearty laugh. If they have any influence beyond this, that influence is not good. Hook has not the power, nor has he the tender and deep-sighted feeling, which would incline him, like Dickens, to penetrate the depths of human nature, and bring to light, from beneath its exterior of folly or meanness, something which we may love, or pity, or at least fear, by which our kind are redeemed from our contempt, even while we laugh at them. Quite the contrary of this,—ridicule is all in all with Hook, it envelopes everything—desecrates everything—no virtuous feeling passes under his review, that he does not, to say the least, *discredit*, and he has, certainly, a peculiar zest in describing questionable motives and conduct, where they form a contrast with the characters in whom we find them. Take, for instance, the scene in which the marriage of one of his heroes is concocted; we have given it at considerable length, because it exemplifies many of the peculiarities of his style.

After a conversation with the young lady, in which he has announced his intention of setting off to town,—

“I heard a sudden rustling in, or rather out of, a laurel hedge that flanked the walk by which Harriet and I had returned to the house, succeeded by the immediate appearance of Mr. Wells himself, who exclaimed, in a mock-heroic tone—

“‘Who talks of going, with a voice so sweet?’

“‘What!’ cried Mrs. Wells, ‘are *you* there, my dear?’ ‘My love, I am,’ replied Wells; ‘but what do you mean by letting Gilbert go at this unusually early hour? where’s Harriet?’—‘She is in the house,’ said the matron.—‘Ah, well,’ said Wells, ‘so will we be soon; you of course will stop, Gurney, and have our little music, and our picquet, and our petit souper, eh. Nothing like winding up well.’—‘I thought you were gone to bed,’ said Mrs. Wells, to her husband.—‘Did you, my dear?’ answered he; ‘then, for once in your life, you were mistaken. Come, let us go in. Is the billiard-room lighted? let us be gay; life is short, we will have a touch at the queues and balls; come, come along.’ And so, with great joyousness, we entered the hospitable old house by one of the modernized French windows, which, as the French themselves say, ‘gave to the lawn.’” * * * *

It was about one o’clock in the morning. I recollect the candles on the table had grown very short, and the wicks remarkably long, when, while preparing my third tumbler, Mr. Wells recurred to

what, it was clear, was a very favourite subject.—‘I wonder, Gurney, you don’t marry,’ said he; ‘rely upon it, as I said at supper, there is nothing gives a man a place in the world so respectably as an early marriage; just taste that; is it strong enough? no, a little drop more; it settles a man; is it good?’—‘Excellent,’ said I, sipping what appeared to me to be aqua-fortis and sugar, but which, from its colourless appearance, looked as weak as water.—‘Have you ever turned the subject over in your mind?’ said Wells; ‘ever seriously thought of fixing?’—‘Sometimes I have,’ said I; and the faces and figures of Miss Emma Haines and Mrs. Fletcher Green, flitted before my eyes; ‘but I see no chance, even if I resolved upon the measure, of realizing my wish.’ ‘Why so, Gilbert? why so? you don’t drink, man, eh, why so?’—‘Why, you see, sir,’ said I, ‘I have no fortune adequate to the support of an establishment, and I—’ ‘Fortune,’ said mine host, swallowing a comfortable draught of his own mixture—‘what has fortune to do with it? You have a profession, if you choose to follow it; as a single man, you have no need of more income than you have, and therefore you do not pursue it; if you had a wife, you would. * * * *

Now, for instance, supposing any man were to make an offer to my dear child, Harriet, the sweetest girl in the world, I think; a treasure to any human being who may be happy enough to win her, if she liked him, and said, Aye, do you think I should say no, because he was not rich? Give me your tumbler.’ Saying which, he replenished the huge vessel which I had thrice emptied.—‘But perhaps,’ continued he, ‘Harriet is not after *your* taste, and you would say in reply to my observation, that it was quite natural I should be glad to take the first that came; but that is not the case. Harriet has not been unwooed, although she has not yet, that I know of, been won. Of course, opinions on such matters differ; and, although I may think her everything that is amiable, you may not.’—‘Indeed, sir,’ said I, with sincere warmth, ‘I have the highest opinion of Miss Wells; nobody can admire her more than I do; nobody can more justly appreciate her excellent qualities.’—‘Pon your life!’ said Wells; ‘really, are you serious? Why, then, why the deuce don’t you come to the point? you know *my* feelings on the subject; why not marry her?’—‘Sir,’ said I, ‘startled at the course the conversation had taken, and seeing through a sort of halo round the candles two Messrs. Wells sitting opposite to me, I never ventured to allow myself to think of such a thing. I—’ ‘But why not, my dear friend?’ said he; ‘have you tasted the new glass, eh?—come, you don’t like it; taste and try, eh? Why not think of Harriet, hey?’—‘Why, sir,’ said I, in a faltering tone, ‘if I ever did think upon the subject, it would be absurd in me to put forth my pretensions; she would never consent.’—‘Do you think not, Gilbert?’ exclaimed he; ‘then I think very differently; I do, by Jove; I think she is very fond of you.’ * * *

‘You are too kind,’ continued I; ‘but, whatever my feelings may be, I am quite sure it would be useless for me to expect a return.’

—‘Useless!’ interrupted he, ‘why useless? I tell you, the girl is over head and ears in love with you. Now, that’s the truth.’—‘In that case,’ said I, ‘my happiness would be complete.’—‘Would it?’ exclaimed the animated father; ‘then, by Jove, you shall secure immediate felicity. Wait a moment; finish your toddy. You shall have the confession from her own lips.’—‘The ladies are gone to bed,’ said I, ‘somewhat startled at the promptitude of his proceeding.’—‘No matter,’ replied he, ‘lighting his candle, nothing like the time present; strike while the iron’s hot. We’ll see who’s right; finish your toddy, that’s all. I’ll be back in a few minutes:’ and away he went, sure enough, leaving me in a sort of maze; a kind of wonderment, at what possibly could have brought about the event which had just occurred, and what would be the next step in the proceeding. * * * * *

I could not go away, for Wells said he was coming back again. What I was to stay for, I knew not; yet, in that jocose vein in which I indulged in other days, I contented myself with quoting Gay, in a whisper, and muttered—‘The wretch of toddy may be happy to-morrow.’

Little did I think how close at hand my happiness was. I had—what with listening and wondering—fallen into a purgatorial state of intermediacy between sleeping and waking, when I was recalled to the entire possession of my senses, (under the operation, always be it understood, of the happy compound which my excellent host had so admirably made, and so liberally administered,) by the opening of the dinner-room door, and the appearance of Mr. Wells, of Mrs. Wells, and of Miss Wells; the two latter evidently in a state of amiable dishabille; the elder lady looking excessively good-natured, and the younger one seeming ready to sink under the effects of her extraordinary re-appearance in the parlour. I instinctively rose—reeled a little round—saved myself, by catching the back of my chair—and saw, what I never expected to see, two Harriets; as this duplication had previously occurred with regard to her respectable father, I was a good deal puzzled.—‘Sit down, dear Gilbert,’ said Wells. ‘Sally, my love,’ addressing his better half, ‘Gilbert has declared his feelings towards Harriet.—Who’s right now, old lady?—He loves her, and she’—‘Dear papa,’ said poor Miss Wells, ‘what *do* you mean?’—‘I mean all that is good,’ replied Wells; ‘Sarah, my love, let us step into the drawing-room for a few minutes, and Gilbert will tell her what *he* means.’—‘I mean, sir,’ said I—‘I know what you mean, my dear fellow. You have told me that already,’ said papa, ‘you have told me that already. Ask *her* the question—that’s all.’—‘And don’t be long, Mr. Gurney,’ said Mrs. Wells, ‘for I am afraid the poor dear girl will catch cold; and having made their speeches, the respectable couple disappeared in a moment. I winked my eyes—they were gone—I concluded, through the doorway; but for all I saw of their exit, they might have gone up the chimney. When they were fairly out of the room, Harriet, who

seemed to me to be quite aware of my extraordinary elevation of spirits, said in her gentlest tone of voice, 'what does all this mean, Gilbert—why have you sent for me?—I am only half awake—but it does seem most extraordinary—why are we here?'—'Upon my word,' said I, endeavouring to see through what appeared to be a thick fog, and trying to speak plain, despite of what seemed some grievous impediment, 'I don't know, Harriet; your father'—there I faltered, and she began to cry. I 'mooned' out, that my sympathetic ignorance of the object of our dialogue had wounded her feelings—I would not have given her a moment's pain for a gold-mine. 'Your father,' I resumed, 'told me, that'—hereabouts I forgot what he *had* told me, 'that—if I were to offer myself to you as a husband, you would not refuse me.' * * * *

'Harriet,' said I, catching her round the waist, and 'sealing,' after my usual fashion, the preliminaries on her lips, 'your father is mistaken, you will not—I know you will not—accept me!'—She said not a word. Her head dropped on my shoulder, and her hand rested in mine. I sealed again—the door opened, and in walked Mr. and Mrs. Wells.—'I told you so, Gilbert, I told you so,' said Wells. Harriet disentangled herself from my bold embrace, and followed by Mrs. Wells, quitted the room; not, however, before the elderly lady had patted my head in a most encouraging manner.—'I told you so, Gurney,' said Wells, 'come, one more glass, health, happiness and prosperity; son-in-law, pledge me.'—*Gilbert Gurney*, vol. iii. page 151.

Other scenes, in the same style, and equally amusing, are subsequently related in the same clergyman's house; but we prefer making our readers laugh, which they will do, even if it should be well known to them by a specimen of our author's broad humour.

" 'Jack,' said the lady, 'I want you just to look out and see if Jem is getting in all the bundles and things.' 'Who is Jem?' said Jack, in an under tone. 'Jem Salmon,' said the lady. 'What! is *he* with you?' 'Yes,' said his mother, 'where else should he be?' At this moment, Jem made his appearance, dressed in a tight light green coat, and a buff waistcoat, with striped blue and white cotton trousers, made tightish to his plump figure, a coloured check handkerchief round his neck, and a white hat stuck on one side of his head, and a bunch of whitish-red curls sticking out from under it.

" 'Ah!' said Jem, 'Brag, how do you do?—didn't expect us, I reckon, skimming down here, eh! Titsy would come—agreeable surprise—twig?' 'Very agreeable, indeed!' said Brag, drawing back, somewhat indignantly, from the familiar approach of the *ci-devant* shop-boy. 'Have you got all the parcels up to the bedroom, J. S.?' said the lady. 'Yes, Titsy,' said Jem. 'Got the umbrella, J. S.?' said the lady. 'No, Titsy,' replied Jem; 'but I'll be after it in no time—twig!'

* * * *

"Jack's astonishment at the repetition of this 'familiar word,' was too great to admit of concealment, and, accordingly betrayed itself in his countenance. 'Ah!' said his mother, 'that's it—isn't it, Jem? He doesn't know all.' 'No,' said Jem; 'don't twig Titsy.' 'I told you, John, I should surprise you one of these days,' said his mother. 'J. S. and I are married.' 'Married!' exclaimed Jack. 'Yes,' said Jem; 'Titsy is Mrs. Salmon—d'ye twig?' 'My dear mother,' said Jack, 'are you serious?' 'No, Jack,' said Mrs. James Salmon—for such she really was—'never less serious in my life since your daddy died. All true: Jem and I were married, last Friday was a week, at Hornsey church, and passed the honey-day—we couldn't stop out longer, on account of the business—at the Sluice House.'

* * * * *

"'Get yourself something warm, Jem,' said the ancient bride; I'm sure if the cold once gets into your poor little stomach, you'll have no rest all night. I know what it is myself to be troubled with cold; and I tell you what Johnny, we shall want a bit of something by way of supper; for though we had three or four mutton chops at Godstone, which were very nicely done, and fine meat, too, and uncommon fat, still that was some time ago,—and I get peckish at night, somehow.' 'Fat,' said Mr. Salmon; 'yes, they *were* fat—reminded me of the shop, Brag—twig!' 'I should venture to recommend,' said the Colonel, with the most studied politeness, 'something to drink—a glass of claret—or——' 'Oh, lor', no!' said Mrs. Salmon; 'no claret for me, sir; as I used to say, to my poor dear first—Jack's father; don't talk to me of claret,'" &c.—*Jack Brag*, vol. ii. p. 285.

We turn now to Captain Marryat, one of the most amusing and most desultory writers of the day; he has, indeed, a hatred of restraint equal to that of any of the sailors on shore, whose frolics he so delights in describing. To choose a hero, whose uncertain fortunes allow of his being plunged into as many scrapes as can be got into the compass of three volumes, and then to give a loose to his own exuberant imagination in describing them, is Captain Marryat's general plan, which has the advantage of very much simplifying the plot, and rendering it less necessary to study its probability, or improbability. Where in fact were there ever heard of such a chapter of accidents as befell *Jacob Faithful*, *Japhet in search of a Father*, or our friend, *Midshipman Easy*—not to mention that marvellous product of audacity and talent in which he was pleased to make the public read—nay, and even interest themselves, in the story of *Snarley Yow and his tail*! We are sure no one ever read this book without railing many times at all the heroes of it, biped and quadruped, as well as at Captain Marryat himself, for having taken up such a *whim*—but as *Snarley Yow*

was to his master, so has this production evidently been to the author—an uncouth pet, upon which he has bestowed great pains; the style is so graphic, the story moves on so rapidly, and the seamen's songs and fun are so good in their way, that we are led on in spite of the disgusting nature of many of the incidents. Perhaps an extract from the opening chapter may serve as well as any other to give an idea as well of the style as of the story:—

“ He was a Mr. Cornelius Vanslyperkin, a tall meagre-looking personage, with very narrow shoulders and very small head. Perfectly straight, up and down, protruding in no part, he reminded you of some tall parish pump, with a great knob at its top. His face was gaunt, cheeks hollow, nose and chin showing an affection for each other, and evidently lamenting the gulf between them, which prevented their meeting. Both appeared to have fretted themselves to the utmost degree of tenuity, from disappointment in love: as for the nose, it had a pearly round tear hanging at its tip, as if it wept. The dress of Mr. Vanslyperkin was hidden in a great coat, which was very long, and buttoned straight down. This great coat had two pockets on each side, into which its owner's hands were deeply inserted, and so close did his arms lie to his sides, that they appeared nothing more than would a battens nailed to a topsail yard. The only deviation from the perpendicular was from the insertion of a speaking trumpet under his left arm, at right angles with his body. It had evidently seen much service, was battered, and the black japan worn off in most parts of it. As we said before, Mr. Vanslyperkin walked his quarter deck. He was in a brown study, yet looked blue. Six strides brought him to the taffrail of the vessel, six more to the bows, such was the length of his tether; and he turned and turned again. But there was another personage on the deck, a personage of no small importance, as he was all in all to Mr. Vanslyperkin, and Mr. Vanslyperkin was all in all to him; moreover, we may say, that he is the hero of the *Tail*. This was one of the ugliest and most ill-conditioned curs which had ever been produced—ugly in colour; for he was of a dirty yellow, like the paint served out to decorate our men-of-war by his Majesty's dock-yards:—ugly in face; for he had one wall eye, and was so far under jawed, as to prove that a bull-dog had had something to do with his creation:—ugly in shape; for, although larger than a pointer, and strongly built, he was coarse and shambling in his make, with his fore-legs bowed out. His ears and tail had never been docked, which was a pity, as the more you curtailed his proportions, the better looking the cur would have been. But his ears, although not cut, were torn to ribbands by the various encounters with dogs on shore, arising from the acidity of his temper. His tail had lost its hair from an inveterate mange, and reminded you of the same appendage to a rat. Many parts of his body were bared from the same

disease. He carried his head and tail low, and had a villainous sour look. To the eye of a casual observer there was not one redeeming quality that would warrant his keep; to those who knew him well, there were a thousand reasons why he should be hanged. He followed his master with the greatest precision and exactitude, walking aft as he walked aft, and walking forward with the same regular motion, turning when his master turned, and, moreover, turning in the same direction; and, like his master, he appeared to be not a little nipped with the cold, and, as well as he, in a state of profound meditation. The name of this uncouth animal was very appropriate to his appearance, and to his temper. It was Snarley Yow. At last Mr. Vanslyperken gave vent to his pent-up feelings. 'I can't, I won't stand this any longer,' muttered the lieutenant, as he took his six strides forward. At this first sound of his master's voice the dog pricked up the remnants of his ears, and they both turned off. 'She has been now fooling me for six years;' and as he concluded this sentence, Mr. Vanslyperken and Snarly Yow had reached the taff-rail, and the dog raised his tail to the half-cock. They turned, and Mr. Vanslyperken paused a moment or two, and compressed his thin lips—the dog did the same. 'I will have an answer by all that's blue,' was the ejaculation of the next six strides. The lieutenant stopped again, and the dog looked up in his master's face; but it appeared as if the current of his master's thoughts was changed, for the current of keen air reminded Mr. Vanslyperken that he had not yet had his breakfast. The lieutenant leaned over the hatchway, took his battered speaking trumpet from under his arm, and, putting it to his mouth, the deck reverberated with, 'Pass the word for Smallbones forward.' The dog put himself in a baying attitude, with his fore-feet on the coamings of the hatchway, and enforced his master's orders with a deep-toned and measured bow, wow, wow. Small-bones soon made his appearance, rising from the hatchway like a ghost; a thin shambling personage, apparently about twenty years old—a pale, cadaverous face, high cheek bones, goggle eyes, with lank hair very thinly sown upon a head which, like bad soil, would return but a scanty harvest. He looked like Famine's eldest son just arriving to years of discretion. His long lanky legs were pulled so far through his trowsers, that his bare feet, and legs half-way up to his knees, were exposed to the chilling blast. The sleeves of his jacket were so short, that four inches of bone, above the wrist, were bared to view—hat he had none—his ears were very large, and the rims of them red with cold, and his neck was so immeasurably long and thin, that his head appeared to topple for want of support. When he had come on deck, he stooped, with one hand raised to his forehead, touching his hair, instead of hat, and the other occupied with a half-roasted red-herring. 'Yes, sir,' said Smallbones, standing before his master. 'Be quick!' commenced the lieutenant; but here his attention was directed to the red-herring by Snarley Yow, who raised his head, and snuffed at its fumes. Among other dis-

qualifications of the animal, be it observed, that he had no nose, except for a red-herring, or a post by the way-side. Mr. Vanslyperken discontinued his orders, took his hand out of his great coat pocket, wiped the dross from off his nose, and then roared out, 'How dare you appear on the quarter-deck of a king's ship, sir, with a red-herring in your fist?' 'If you please, sir,' replied Smallbones, 'if I were to come for to go to leave it in the galley, I shouldn't find it when I went back.'—'What do I care for that, sir? Its contrary to all rules and regulations of the service. Now, sir, hear me.'—'O Lord, sir! let me off this time, it's only a *soldier*,' replied Smallbones, deprecatingly; but Snawley Yow's appetite had been very much sharpened by his morning's walk; it rose with the smell of a herring, so he rose on his hind legs, snapped the herring out of Smallbone's hand, bolted forward by the lee-gangway, and would soon have bolted the herring, had not Smallbones bolted after him, and overtaken him, just as he had laid it down on the deck, preparatory to commencing his meal. A fight ensued; Smallbones received a severe bite in the leg, which induced him to seize a handspike, and make a blow with it at the dog's head, which, if it had been well aimed, would probably have put an end to all further pilfering. As it was, the handspike descended upon one of the dog's fore-toes, and Snarley Yow retreated yelling, to the other side of the fore-castle, Smallbones picked up the herring, pulled up his trowsers, to examine the bite, poured down an anathema upon the dog, which was, 'May you be starved, as I am, you beast!' and then turned round to go aft, when he struck against the spare form of Mr. Vanslyperken, who, with his hands in his pocket, and his trumpet under his arm, looked unutterably savage. 'How dare you beat *my* dog, you villain?' said the lieutenant, at last, choking with passion.—'He's a—bitten my leg through and through, sir,' replied Smallbones, with a face of alarm.—'Well, sir, why have you such thin legs, then?'—'Cause I gets nothing to fill 'em up with.'—'Have you not a herring there, you herring-gutted scoundrel? which, in defiance of all the rules of the service, you have brought on his Majesty's quarter-deck, you greedy rascal, and for which I intend——'—'It ar'n't my herring, sir, it be yours—for your breakfast—the only one that is left out of the half-dozen.' This last remark appeared somewhat to pacify Mr. Vanslyperken.—'Go down below, sir,' said he, after a pause, 'and let me know when my breakfast is ready.' Smallbones obeyed immediately, too glad to escape so easily."

Thus the fight commences between the dog and the boy, which soon becomes general between the Captain and the crew, and is kept up with uncommon spirit, until the dog and his master come to be hanged, as undoubtedly they well deserve. Captain Marryat's characters are struck off in a masterly and spirited manner. He never attempts to go below

the surface ; his heroes are dashing gentlemanly fellows, who, without much principle of any kind, contrive in general (not always by any means) to do the upright thing, or if they do not—they have always a gentlemanly tone of feeling about them, which secures them an exemption from severe criticism. His subordinate personages are often outrageously caricatured ; some of their idiosyncrasies, Mr. Muddle, with his theory of the 27,672 years,—the fathers of Peter Simple and Midshipman Easy (all fathers Captain Marryat seems to consider as bores, and treats accordingly) Old Dominie, his nose, &c. &c. are quite beyond credence, but they serve to diversify the various current of the story ; and when they have served their purpose, the author dismisses them with a slight kick, seemingly as glad to be rid of them as we are (by that time) ourselves, and introduces some other from his variety of hearty merry fellows, to whom we are always inclined to forgive their eccentricities and occasional rascalities for the sake of their fun. Of no particular religion, (at least in his books) Captain Marryat has established his claim to impartiality, by taking an occasional fling at all. To be sure we contribute rather more than our share to the amusement of his readers, in the shape of monks, inquisitions, death-bed scenes, and the like ; but these incidents are generally in such a style, that it would be doing injustice to all parties, to suppose them meant for anything more than a joke—not in the best taste perhaps—but then Captain Marryat likes his joke, and must have it—and is *not* very particular as to its quality, or whom it is played off upon. There is, to be sure, a rollicking, good-for-nothing Irish priest, with whom, as he takes an active part in the story, we might have been inclined to quarrel, as being really ‘*too bad* ;’ but then we have various exemplifications of ‘free trade in religion,’ which are so original as well as amusing, that we think we must take them as a set off against the hackneyed stage-property character of the priest. Let our readers judge from the sample of a Methodist sermon at Barbadoes :

“ And now, you see, my dear brethren, how impossible to go to heaven, with all the faith in the world, without charity. Charity mean, give away. Suppose you no give—you no ab charity ; suppose you no ab charity—you no ab faith ; suppose you no ab faith—you all go to hell and be damned. Now then let me see if you ab charity. Here, you see, I come to save all your soul from hell-fire, and hell fire dam hot, I can tell you. Dere you all burn, like coal, till you come white powder, and den burn on till you come black again ; and so you go on, burn, burn, sometime white, sometime black. De Debil never allow Sangorce to cool tongue. No, no

cocoa-milk—not a lilly drop of water; debil see you damned first. Suppose you ask, he poke um fire, and laugh, Well den, ab you charity? No, you ab not. You Quashee, how you dare look me in the face? You keep shop—you sell egg—you sell yam—you sell pepper hot—but when you give it to me? Eh! nebber, so help me God. Suppose you no send, you no ab charity, and you go to hell. You black Sambo,’ continued he, pointing to a man in a corner, ‘ab very fine boat, go out all day, catch fly-fish, bring um back, fry um, and sell for money; but when you send to me? not one little fish ebber find way to my mouth. What I tell you ’bout Peter and ’postles—all fishermen; good men, give way to poor. Sambo, you no ab charity; and ’pose you no repent this week, and send one very fine fish in plantain-leaf, you go to hell, and burn for ebber and ebber. Eh! so you will run away, Massa Johnson,’ cried he out to another who was edging to the door; ‘but you no run away from hell-fire; when debil catch you, he hold dam tight. You know you kill sheep and goat ebery day. You send bell ring all ’bout town for people to come buy; but when you send to me? nebber ’cept once, you give me lilly bit of libber. That not do, Massa Johnson; you no ab charity; and suppose you no send me sheep’s head to-morrow morning, dam you libber, that’s all. I see many more, but I see um all very sorry, and dat they mean to sin no more, so dis time, I let um off, and say nothing about it, because I know plenty of plantain and banana (pointing to one), and oranges and shaddock (pointing to another), and salt fish (pointing to fourth), and ginger pop, and spruce beer (pointing to fifth), and a straw hat (pointing to sixth), and ebery thing else, come to my house to-morrow. So I say no more ’bout it; I see you all very sorry—you only forgot. You all ab charity, and all ab faith; so, now, my dear brethren, we go down on our knees, and thank God for all this, and more especially that I save all your souls from going to the debil, who run about Barbadoes like one roaring lion, seeking what he may lay hold of, and cram in his dam fiery jaw.’

“‘That will do,’ said O’Brien; ‘we have the cream of it, I think.’”—*Peter Simple*, vol. iii. p. 173.

Captain Marryat is no great dealer in the pathetic; pretty much like his old messmates, “he has not time for it;” but there is one feeling, not the least lovely in man’s nature, which he has beautifully portrayed—youthful friendship. This he has sketched in many of his works (and in general it forms the only touch of real feeling they contain); but in *Peter Simple* he has exquisitely treated it. The friendship of the two untutored boys, totally dissimilar, and totally unconnected, but jostled together by the freak of fortune, forms the great point of interest in that delightful book. Their faithfulness, the youthful, simple deference of the one, and the generous pro-

testion of the other, have in them something chivalrous ;—their affection is kept in view by many pleasing incidents ;—we are enabled to trace the effect of their mutual influence over each other upon their characters, as well as that of their hearty good-will upon each other's fortunes ;—we see them improve under the influence of a deep and sincere feeling, until the boys' love has ripened into the trusty friendship of strong-minded men, and engages our approving respect : yet this strong affection never degenerates into maudlin tenderness, never soars into heroics,—commencing with the sound basting which O'Brien thinks fit to administer to Peter, as a cure for sea-sickness—taking great credit the while for his disinterestedness in thus enabling him to resume the consumption of his own salt pork and grog, in which O'Brien himself had hitherto luxuriated,—it retains throughout the characteristic roughness, frolic, and plain-dealing, which must, we fancy, enter into every modification of a school-boy's feelings, and quite as much so into those of a young midgy. The correctness of technical detail in the thrilling descriptions of sea-fights, shipwrecks, and other naval adventures, has long, we believe, obtained the sanction of the profession, as well as of the public ; and his hints upon naval discipline, and the conduct of officers to one another, and to those below them, contain so much good feeling and good sense, that they form a most valuable portion of his works, and must, we should think, exercise considerable influence. It would be a subject of great regret if a writer of such great talents as Captain Marryat, should, from too great reliance upon the popularity he has acquired, sink into the slovenly style of a man who writes merely for the bookseller, and for a stipulated sum of money ; and therefore we would hope that the falling off in his last novel may be only accidental,—certainly it is very considerable. The single thing worth attention in the *Phantom Ship* is the wild and poetic legend of the "Flying Dutchman," which forms the groundwork of the story ; and which not only is not, as all the world knows, original in Captain Marryat, but which does not derive a single additional point of interest or beauty in his hands ; on the contrary, a string of extravagant adventures, carelessly put together, and heavily told, deaden curiosity,—the "Flying Dutchman" makes his appearance as regularly as a packet-boat, and becomes at last almost as tiresome ; it seems as if the author himself had found it heavy, and, to make amends for the raciness and originality of former adventures, he has made those in the "Flying Dutchman" extraordinary and

disagreeable. First, the heroine is a regular dealer in the black art, then she is burnt in the Inquisition; there are atrocious monks, ghosts that will not be drowned, men fighting over their money, till, like the Kilkenny cats, they are all destroyed, and so on. We sincerely trust that Captain Marryat will discontinue this forced and unpleasing style, and return to that of his older and more pleasing productions. We will also venture to inquire, before taking leave of him, why he has burdened himself with the sins of a set of novels presented to the public merely as 'edited by Captain Marryat?' Has he taken them under his protection, on account of their obvious imitation of his style of writing? If so, it is impolitic; for such gross caricatures would be enough to put any works out of fashion. It is in one of these works, we believe, that a lad of fourteen is made to congratulate himself upon the death of two men, shot to pieces at his side, because they had seen him start at the report of the first cannon that is fired; and the whole of the characters and incidents are in that sort of style,—not without talent, certainly, but so full of turgid sentiments, disagreeable incidents, and unnatural or horrible situations, as no talent can make bearable. They are not in our list of novels deserving attention, and we dismiss them with this brief notice.

Miss Burdon is not a voluminous, but she is a pains-taking novelist. Ungifted with imagination, her style is sensible, straightforward, and somewhat prosaic; her characters are not generally blundered in the execution; she adheres with tolerable fidelity to the idea she has formed for herself; but knowledge of human nature she has none. Her chief secret for fixing the attention lies in a well-combined and interesting story; and this old-fashioned requisite is successful in a greater degree than one might be apt to fancy. Her writings are well-tempered always, generally well-principled,—but when she touches upon religion, her notions become immediately ill-formed and vague: she is not malignant, but the desire to give something like pungency to her crude theories, induces her to abuse Catholics,—that ready passport to the fame of a good Protestant; and the demure, matter-of-fact lady, makes a priest ask his patron, if he has any particular sins to get disposed of, for that he has a fresh supply of indulgences from Rome, for the use of the faithful, with as much undoubting simplicity as if she had been in the habit of buying them herself, along with her tea and sugar, every week of her existence. Such absurdities deserve no other notice than a laugh; but

there is one, of which we feel inclined to inquire of our Protestant friends, whether it really arises from some looseness in their own opinions, or whether from an unacknowledged difficulty in making the characters of religious Catholics as black as they could desire? Miss Burdon represents this same convenient priest as a mixture, not of mere human faults and virtues, with all the inconsistencies usual in the compound, but of heavenly aspirations and sentiments, which, at least in our ideas, could not exist but as the result of heavenly grace,—together with such long-deliberated sin and purpose of sin, as, in our opinions, grace could not have co-existed with at all: the result is such a character as never did, or could exist—a mere phantasmagoria. It would have been scarcely worth while to have touched upon this point, with reference to Miss Burdon's novel, had not this mistake been so very common amongst Protestant writers, that we would not pass over a marked exemplification of it.

There is perhaps no writer of the day so universally obnoxious as Mrs. Trollope; nor can this be wondered at;—she has loaded with the most virulent abuse all those whose creed or politics have incurred her displeasure; while the conservative and high church party are, we suspect, a little ashamed of her warm advocacy. With the proud, the cold, and the fastidious, Mrs. Trollope's zeal could scarcely make amends for her levity and grossness. There is too much of avowed partizanship, too little even of a pretence to argument, to constitute in her a useful ally; while, on the other hand, there is an irreverence and boldness in her mode of handling the most sacred subjects, which bring discredit on the principles she professes. Mrs. Trollope is, in every sense of the word, a good hater. It is in her violent antipathies, whether against a creed, a nation, a party, or an individual, that she finds the secret of eloquence; when, seeking to vilify the object of her dislike, all the acuteness of her mind is awakened, all the power of a bold and easy style put forth; nothing is omitted that can be invented, insinuated, or boldly charged against the characters she would blacken,—calumny, insult, ridicule, are brought to bear; there is no discrimination, no shading, no forbearance,—to throw dirt with both hands, trusting in the well-known proverb that some will stick, is her uniform plan of operations; but it has not succeeded: there is enough, heaven knows, of party bitterness and sectarian feeling in this country, but the strife they have engendered has one redeeming quality,—it is serious, as well as earnest; and Mrs. Trollope has lost weight

even with those who might have agreed with her in opinion, by the petulant and jeering insolence with which she has ventured to attack the Catholic religion in general, and the numerous and plausible body of Methodists or 'Evangelicals' in this country. The novel in which she directed her whole fire against the Catholics, was in the highest degree absurd; it was not only malignant, but it had a more fatal fault, from which we are bound to acknowledge Mrs. Trollope's novels to be generally free—it was dull, and has fallen, in consequence, into speedy oblivion. The *Vicar of Wrexhill* has longer occupied the attention of the public: a satire against so large a party in the Church of England, was newer than a twenty-times told tale about monks and convents; and, to do Mrs. Trollope justice, nothing that malice could give was wanting to its poignancy. In the *Vicar of Wrexhill* and some of his associates she has represented the most fiend-like characters. The vicar marries an opulent widow,—makes her disinherit her children,—turns her son out a beggar,—permits, nay, encourages his agent to attempt the violation of his step-daughter in his own house,—is himself the seducer of two or three of his congregation,—uses personal cruelty to induce his daughter to concur in his schemes; not to speak of ruining families, opening and suppressing letters, and every other species of enormity. Having drawn this pleasing character, she gravely holds it up to the Methodists, and proceeds to lecture them upon its enormities! Could even she imagine that she was likely thus to produce much effect upon them, or upon any one else? But the superficial sketch we have given can convey no idea of the coarseness of the book. The familiar use of the Holy Name amongst the Methodists and Evangelicals; their unauthorised application of texts of Scripture; the sort of *slang*, if we may use the word (and we do it not scoffingly), which they have formed to themselves out of Holy Writ—(Mrs. Haunah More has been beforehand with us in warning them of its danger)—which serves them, like the sign in Free Masonry, to know their own party by, and for want of which they condemn all others as unhesitatingly as the sentinel fires upon the intruder who cannot answer his challenge by the watchword;—all this is highly objectionable, and to Catholics especially it must appear so, who are—and we dare appeal to all men for the truth of what we say—*remarkably* free from those conventional, external signs of sanctity which challenge the attention of the world. Still this error requires to be gently dealt with. “Out of the fulness of the heart the

mouth speaketh." The Christian whose heart overflows with the sense of God's presence and his mercy, must speak of it in terms the world will not understand,—must seek for strong expressions to do justice to his feelings. Who can draw the line between this laudable natural propensity, and the cant that is put on, like a sad-coloured bonnet, as the sign of party? not certainly such a spirit as Mrs. Trollope's. But she has felt no difficulty: to ridicule a custom adopted by a set of people she detests, is all she cares about; she heeds not the downright blasphemy she is writing, and cares not for the feelings—whether of conscientiousness, or merely of good taste—which she is annoying on all sides. She has nearly filled three volumes with such passages as the following, which we have selected at random:—

" 'By what right, human or divine, do you thus question me, lost, unhappy boy (says the now evangelical mother to her son). But I will answer you, and I trust the mercy of the Lord will visit me with forgiveness for intercommuning with one who lives in open rebellion to his saints. Yes, sir, I do believe it is my duty to hold fast the conviction which the Lord, in his heavenly goodness, has sent me by the hand of his anointed. I do believe it is my duty to testify, by my voice, and by every act of my life, during the remaining time for which the Lord shall spare me for the showing forth of his glory, that I consider the years past as an abomination in the sight of the Lord; that my living in peace and happiness with your unawakened, unregenerate father, was an abomination in the sight of the Lord; and that now, at the eleventh hour, my only hope of being received by Christ rests in my hating and abhorring, and forsaking and turning away from, all that is, and has been, nearest and dearest to my sinful heart!'

" Charles listened to this rant with earnest and painful attention, and, when she ceased, looked at her through tears that presently overflowed his eyes. 'Have I then lost my only remaining parent?' said he; 'and can you thus close your heart against me, and your poor Helen, my mother?'

" 'By the blessing of the Lord I am strong,' said the deluded lady, struggling to overcome God's best gift of pure affection in her heart. 'By the blessing of Jesus, and by the earnest prayers of his holiest saint, I am able, wretched boy, to look at thee, and say, Satan, avaunt! But the Lord tries me sorely,' she continued, turning her eyes from the manly countenance of her son, now wet with tears. Sorely, sorely, doomed and devoted boy, does he try me. But he, the Lord's vicar upon earth, the darling of the holy Jesus, the chosen shepherd, the anointed saint,—he, even he tells me to be of good cheer, for whom the Lord loveth he chasteneth."—*Vicar of Wrexhill*, vol. II. p. 214.

Nor is this Mrs. Trollope's worst offence against taste, or, perhaps, we may say, morals. In writing against both the Catholics and the Evangelicas, she has attacked them with weapons a woman should be the last to use;—against both she brings it as a charge, that the influence their pastors and spiritual guides may exercise amongst them, has its rise, and its chief support, in impure passion, encouraged by the ministers of religion, submitted to by the women of their flocks. Plainly as briefly have we stated the shameless accusation which a woman has not been ashamed to bring; as briefly do we dismiss it, unworthy as it is to sully, for an instant, the thoughts or the pages of a Christian. *Not* so Mrs. Trollope; she has made this subject the groundwork of her book, and has followed it out through all its details with a sort of leering jocularity unbecoming in her—disgusting, when considered with reference to the subject. We need scarcely add, that, whatever influence her works may have, we consider it as injurious; in serious matters, likely only to inflame and embitter animosities,—in those of less importance, they contain a wordly-minded and frivolous tone of sentiment, little likely to do good. Yet we must not do injustice to her talents; few have touched off the 'folly of the day' with a lighter or a bolder stroke. Many of her characters are strongly and naturally drawn; and the keen satirical observation in which her works abound, is enlivened by an easy and conversational style of writing. *Widow Barnaby* is the last and least exceptionable of her novels; it has no reference to politics, and *not much* to Mrs. Trollope's religious antipathies, but is an agreeable and well-told story; having one great advantage in common with all Mrs. Trollope's writings, it never flags—is never heavy upon hand: the quickness and vigour in Mrs. Trollope's own mind are communicated to her writings, and form one great secret of the pleasure they give. We must illustrate Mrs. Trollope's power of sketching, by an extract from this novel. Mrs. Barnaby, an admirable illustration of a worldly-wise, over-reaching woman, constantly over-reached herself, in spite of her low cunning, is rating her dependent niece:—

"With these notions in her head, Widow Barnaby attacked Agnes on the singular concealment of her talent (of singing), as well as upon other matters, during breakfast, the morning after the unlamented Major's departure, which was, in fact, the first time they had been alone together, Agnes having passed the whole of the preceding day at Rodney Place. In answer to her niece's gentle salutation,

she said, in a tone very far from amiable, though it affected to be so, 'Yes, yes,—good morning, aunt! that's all very well; and now please to tell me where I shall find another young lady living with a generous relation, to whom she owes her daily bread, who, knowing that relation's anxiety concerning her, has chosen to make a secret of the only thing on earth she can do;—tell me, if you can, where I shall find anything like that?'

" 'If you mean my singing, aunt, I have told you already why I never said anything about it. My only reason was because I did not like to ask you for a piano.'

" 'That's all hypocrisy, Miss Agnes; and let who will be taken in by you, I am not;—and you may just remember that, miss, now and always. You were afraid, perhaps, that I might make you of some use to me; but the scheme won't answer. With the kindest temper in the world, I have plenty of resolution to do just whatever I think right, and that's what I shall do by you. I shall say no more about it in this nasty, vulgar, merchandizing sort of a place; but as soon as we get among ladies and gentlemen that I consider my equals, I shall begin to give regular parties, like other people of fashion, and then let me hear you refuse to sing, when I ask you; and we shall see what will happen next.'

" 'Indeed, aunt, I believe you are mistaken about my voice,' replied Agnes; 'I have never had teaching enough to enable me to sing so well as you seem to suppose; and, in fact, I know little or nothing about it, except what dear, good Mr. Wilmot used to tell me; and I don't think he has heard any really good singing for the last twenty years.'

" 'And I was not at Mrs. Peter's, the other night, I suppose, Miss Willoughby,—and I did not hear all the praise, and the rapture, and the fuss, didn't I? What a fool you do seem to take me for, Agnes! However, I don't mean to quarrel with you; you know what sacrifices I have made, and not all your bad behaviour shall prevent my making more still for you. You shall have a master, if I find you want one; and when we get to Cheltenham, you shall be sure to have a pianoforte. Does that please you?'

" 'I shall be very glad to be able to practise again, aunt, only——'

" 'Only what, if you please?'

" 'Why, I mean to say that I should be sorry you should expect to make a great performer of me; for I am certain that you will be disappointed.'

" 'Stuff and nonsense! Don't trouble yourself about my disappointments; I'll take care to get what I want.—And there's another talent, Miss Agnes, which I shall expect to find in you; and I hope you have made a secret of that, too, for I never saw much sign of it,—I want you to be very active and clever, and to act as my maid, till I get one; indeed, I'm not sure I shall ever get one again, they seem to be such plagues; and if I find you ain't too

great a fool to do what I want, I have a notion that I shall take a tiger instead,—it will be much more respectable.—Pray, Agnes, have you any idea about dressing hair?

“ ‘I think I could do it as well for you, aunt, as Jerningham did,’ said Agnes, with perfect good humour.

“ ‘And that’s not quite so well as I want; but I suppose you know that as well as I do, only you choose to show off your impertinence.—And there’s my drawers to keep in order;—dunce as you are, I suppose you can do that; and fifty other little things there will be, now that good-for-nothing baggage is gone, which, I promise you, I do not intend to do for myself.’”—*Widow Barnaby*, vol. ii.

A perfect contrast to the authoress with whom we have parted, is Lady Blessington, whose *Confessions of an Elderly Lady*, and *Confessions of an Elderly Gentleman*, are still the ornament of so many tables. Elegant, mellifluous, and almost silky in their softness, Lady Blessington’s tales combine with exquisite engravings to fix upon the mind ideas of beauty and grace, which it receives with pleasure, and retains long. These tales—for they are really no more,—mere commentaries on the pretty pictures upon which they fix attention,—would seem to be completely the type of “light reading,” the “lightest” of reading; but they are not altogether this,—they are the production of a *lady-like* woman, and one, too, of a calm and thoughtful mind, whose observations are interesting even upon trivial matters; they are sensible, well principled, and elegant. It cannot be said that they contain much to exercise the mind—much of passion, or incident; but Lady Blessington has looked with quiet discernment upon life, as it has passed before her; and though she may have known human nature in its most artificial and most tranquil condition, it is human nature still, and therefore interesting.

We shall here, for the present, close our list of Novelists. Others are on our catalogue, who may hereafter pass under our review. Some among them are of a more ambitious class, and have availed themselves of the irresponsibility of a novel, to give to the world all the outpourings of their minds;—unconnected, but often brilliant, thoughts which, whether true or false, are deserving of attention, and must be reserved for a future occasion.

ART. X.—*Church Architecture of the Middle Ages; a Series of Etchings of Cathedrals, Churches, Hospitals, Monasteries, Friaries, and other Ecclesiastical Edifices remaining in England.* By John Coney. *The Descriptive Account of each Building*, by the Rev. J. A. Giles, LL.D. Part I. Yorkshire. London: 1880. Bohn.

TO its intrinsic merit, this publication adds the advantage of appearing at a moment particularly favourable to its object. It consists of the choicest plates of *Dugdale's Monasticon*, with a compendious letter-press; and, as each county will be comprised in one or more distinct monthly numbers (which may be procured separately), the work will meet the various wishes of many, whom taste, or particular associations, may lead to desire the views and description of some, rather than other, ancient edifices. But, in fact, by this excellent publication, the entire of that portion of the *Monasticon* which is most important, or most interesting, to the professional or *dilettante* student of ancient art, is made accessible to many who could not afford to enrich their libraries with that expensive work. Fortunately, the limited number of impressions taken off for it, has left the plates in their original freshness; and greater attention to the materials employed, gives them even an advantage, in this publication, over their appearance in the former. While, therefore, we commend the zeal of those who have thus undertaken to reproduce them, we earnestly recommend them to the attention of our readers, who will here find a rich mine of artistic wealth, in the most beautiful models of every age, during which the pointed, or ecclesiastical, style of architecture flourished in this country. When we observe that this work appears at a peculiarly favourable moment, we allude to the reviving taste now manifested for the architecture of our fathers. Perhaps we should rather say, reviving *feeling* or love—for, unfortunately, the *taste* of the nation has yet to be formed. Wherever we travel, we see edifices, lately erected, in the pointed style, destined for every imaginable purpose to which masonry can be applied: we have churches and chapels, parochial schools, cottages, and porters' lodges. Every variety of acute angle in a gable, every conceivable curve in windows or doors, every form of polygonal clustered chimneys, provided they be high enough, and every imaginable ground plan, if it only be sufficiently irregular, is admitted into domestic architecture, as a sufficient criterion of a building's being Gothic—and Gothic enough it generally is

in sooth ! Then, as to details, the cutting out of jambs, or the shaping of mouldings—all that is rather left to the stonemason, than considered a part of the architect's province. It can only be by the study of the best examples, considered in reference to each particular style, that accuracy—the first essential quality of every imitative art—will, or can be, attained. We are not now aiming at inventing new orders of architecture, but at reviving, or restoring to purity, that which once prevailed in our own country. We may leave it to club-house or Regent Street architects to surprise their generation,—for, fortunately, their buildings are not so constructed as to be likely to shock the taste and sense of many succeeding ones,—by the conception of new *genera* of architectural elements, and their monstrous production on the face of this earth. Our ambition should be to recal to life, or rather to multiply, the existing forms of the beautiful, scattered over the face of the country by the prodigal taste of our forefathers; and with them awaken those dormant religious sympathies, which once were the causes, but must now be the results of such sublime conceptions.

This is, in fact, a truth which cannot be sufficiently inculcated, that, as every part of an ancient edifice, sacred or secular, had its specific destination, so its construction, to be accurate, must be in exact accordance with this its object; so no one will succeed in truly catching the spirit which watched over the erection of our ancient churches, who does not, with the zeal of an antiquarian at least, study the purposes and the uses to which every individual part was dedicated: nay, we will say more, who does not invest himself with the religious ideas and feelings of ancient days, and try to conceive the holy thoughts which suggested and directed the erection and decoration of each separate portion of the building. How shall more of the diligence and taste which spring from love, be expended upon the altar-table than upon the porch, by one who knows and feels not that belief which revered the former so infinitely beyond the latter, and considered the one as the gate through which God, the other that through which man, entered the holy precincts of the sanctuary? How shall the storied window receive its appropriate representations from one unacquainted with the Church's history, the chronology and relative station of the saints of her calendar? But in the ancient Churches are parts and ornaments as alien to the worship now performed in them, that we can hardly imagine an architect, erecting an edifice for its observance, otherwise

than perplexed between the alternatives, whether to suppress or alter them, or else to leave them as jarring incongruities, objects of criticism and wonder, or reproachful monuments of a departed faith.

This brings us to the natural conclusion, that none but a Catholic architect, erecting a temple for the ancient worship, can feel at once unshackled by this embarrassment, and allowed to enter, heart and soul, into the spirit and the truth which should pervade every part of the architect's undertaking. The road left will be no fiction or unmeaning device with him who honours the instrument of salvation, and who fears not to exalt it with its accompanying images of the Mother and beloved Disciple of Christ, on its appropriate and destined place. The "Ladie-Chapel" will not be a name for a mere vestry or family sepulchre, with him who believes, that wherever the Son of God has a temple, and his sacred humanity is adored in the Eucharistic sacrifice, there also ought she to find commemoration and place through whom He assumed the flesh. In short, the form and proportions of the chancel or sanctuary, the distribution of its seats and other appurtenances, have all a reference to the performance of the sacred Mysteries, and may be faithfully copied by one who prepares a place for the same celebration as formerly occupied and suggested that part of the holy building. The renovation, therefore, of ancient architecture and its attendant arts, at least its full and complete regeneration, in life and vigour, must come from us alone; and it is a duty which we owe to our forefathers in the faith, to devote ourselves to this glorious work; second only, and most conducive to that of reviving and propagating their sublime religion. Nay, in looking over the splendid work before us, we could not fail being struck with the melancholy reflection how many of the beautiful buildings it describes are now but ruins. Rivaux, Kirkstall, Richmond and Fountain's Abbey, are in this condition. But a consolation was granted us in the thought that our religion built them all, and that which drove us from them, destroyed them. It should then be our solemn and sincere endeavour to show that we can again restore what we could once erect, and that *our* reformation is not to destruction, but to the building-up of the material, as well as the moral edifice of God's house, in a manner worthy of our holy religion. We congratulate ourselves and our brethren, upon the manifest progress which the labours of every year exhibit, in taste and good feeling, in love of the beauty of the sanctuary, and that love of its very

stones which once pleased God's servants, that animated the prophets and saints of the Old Law. We recommend to them, therefore, with sincere pleasure, a work than which none can be more calculated to nourish these feelings, and guide them to corresponding effects.

GERMAN CATHOLIC LITERATURE.

Lehrbuch der Dogmengeschichte, von Dr. H. Klee.—*Manual of the History of Dogmas*, by Dr. Henry Klee, Professor of Theology at the University of Bonn. Mayence: 1839.

THIS volume is quite equal to its predecessor, which we noticed on a former occasion. It treats of the atonement, grace and sanctification, the seven sacraments, death, judgment, hell, purgatory, heaven, and the world's end. It is interesting to trace in this brief, but pregnant, history of theology, the organic development of dogmas;—to see how the germ of doctrine deposited in the Church by its Divine Founder, was, in the progress of time, and according to the wants of different ages, expanded into full maturity. It is interesting, also, to observe, amid this unchangeable unity of developed doctrines, the beautiful variety of proofs, explanations, and illustrations, which the Christian philosophy of every age has put forth, to vindicate, confirm, and embellish the Christian religion. Never, perhaps, was so much information compressed within so small a compass. Take, for example, the beautiful chapter on the Eucharist:—in the short space of sixty-six pages, we find the principal testimonies of the fathers and schoolmen on the real presence, transubstantiation, and the sacrifice of the mass, referred to, and in many instances quoted; the rites and observances connected with the Eucharistic sacrament and sacrifice briefly stated: the theological proofs and philosophic illustrations rapidly exposed;—and, lastly, the various heresies that, from the earliest times to the present, have been broached against this important dogma, shortly narrated. For every assertion the writer refers to his authorities; and, when space permits, quotes the passage at full length. We make bold to affirm, that the most learned divine may derive instruction, as well as pleasure, from this able and elaborate treatise.

Friderici Windischmanni, Presbyteri SS. Theologiæ ac Philosophicæ Doctoris Vindiciæ Petrinæ.

THE author of this treatise is the son of the celebrated professor of philosophy, whose recent demise his country and the Church alike deplore. Young Dr. Windischmann has already acquired distinction by a translation, which he published a few years ago, of a Sanscrit philosophical work, accompanied with a critical commentary. The present dissertation is a defence of the genuineness of

the second epistle of St. Peter against the recent attacks of the Rationalist, Dr. Meyerhoff, and displays considerable learning and critical acuteness. In the preface we have noticed some excellent strictures on the general system of the rationalist exegetics. We trust and believe the amiable and talented young author will worthily fill the chair of scriptural illustration in the University of Munich, to which he has recently been promoted.

Lehrbuch des Kirchegerichts aller Christlichen Confessionen.—Manual of Ecclesiastical Law of all Christian Confessions. By Ferdinand Walter, Professor of Civil and Canon Law in the University of Bonn. Eighth enlarged and improved edition. Bonn: 1839.

THIS excellent work, first published in 1824, has now reached its eighth edition; nor can we be surprised at this extraordinary success, when we consider the purity of its principles, its admirable arrangement, great learning, and elegant style. In the last century the freedom of the Church was violently assailed by several Catholic princes, who, to accomplish with greater facility their culpable projects, endeavoured to sap its divine constitution. They found a class of theologians ready to support them in their nefarious views; and Catholic Germany in particular, from the time of Febronius (1770), became the seat of an anti-papal school, that recognizing in the successor of Peter a mere primacy of honour, laboured to establish an exclusive episcopal aristocracy in the Church. The new doctrines condemned by the Church, were warmly seconded, as we have said, by several secular potentates, particularly the Emperor Joseph II., who took care to promote to professorial chairs, and other places of weight and dignity, only partisans of the new opinions. Hence, especially, the science of canon law was much debased and corrupted by Jansenistical and Protestant errors. From Austria the evil example spread to Bavaria and other parts of Catholic Germany; nor can we wonder at this spread of schismatical doctrines, when we reflect on the state of German society in the eighteenth century:—the decay of piety and discipline among the clergy,—the lukewarmness and indifference of many among the laity,—and the anti-Christian policy of several cabinets. And so slow has been the return to order and sound discipline, that it was only five years ago, the Austrian government, which had long mitigated in practice the asperity of the *Josephist* maxims, saw the necessity of withdrawing from its seats of learning the works on canon law imbued with the poisonous doctrines of Febronius.

No work has more contributed to rescue ecclesiastical jurisprudence from the state of debasement to which it had sunk in Germany, than the excellent manual whereof we have given the title. It is written with all the earnestness of deep conviction, and yet never forgets the tone of conciliation and charity; while its enlarged and philosophic views render it equal to the present exi-

gencies of science. The work is addressed to members of all the Christian confessions; and as it is the best treatise on the canon law of the German Protestant communities, as well as of the Catholic Church, Protestant theologians, and even civilians, are in a manner compelled to peruse it, and so hear, once at least in their lives, sound Catholic doctrine. The eminent service which the work has rendered to the cause of religion has been recognized in a quarter whence approbation comes sweetest to every Catholic breast;—His Holiness Gregory XVI. having recently conferred on its distinguished author the “Order of the Golden Spur.”

We have room but for one extract. The following passage on the papal supremacy may furnish the reader with a fair specimen of the author's style, as well as good sense and sagacity:—

“The Church has on various occasions, and in various ways, expressed its veneration for the successor of the prince of the apostles, by the holy fathers and councils, and especially in the acts of reunion with the Greek Church, most unequivocally recognized the primacy and supremacy of the Roman see in all its extent, height, and universality. Upon the special rights, however, involved in this supremacy, the Church, averse to general discussions of this kind, has defined little, but abandoned the matter to life and to doctrine. Thus is the Pope the supreme authority in the Church, and, as such, he has externally no judge above him; but for his administration, as the secular monarchs for theirs, he is responsible only to God and to his conscience.* In the exercise of his power, however, the spirit of his office of itself prescribes the rule, that he should, as a true father, employ his authority only for the common weal of Christendom. Hence is a modest remonstrance against his administration permitted;—nay, even in case of evident injustice, outward resistance is allowed. At all times the Popes have given ear to the boldest exhortations of pious and well-meaning men. We may adduce the examples of Pope Victor and St. Irenæus, Pope Gregory the Seventh and Peter Damian, Pope Eugenius the Third and St. Bernard, Pope Clement the Seventh and Cardinal Bellarmine. The remarkable memorial of the latter, with the Pope's reply, is to be found in Hoffman's *Nova Scriptorum ac Monumentorum Collectio*, tom. i. p. 633. Bellarmine, in his work, *De Romano Pontifice*, lib. ii. c. 29, expressly asserts, ‘Licet resistere pontifici invidenti animas, vel turbanti rempublicam, et multo magis si ecclesiam destruere videretur, licit, inquam, ei resistere, non faciendo quod jubet, et impediendo ne exequatur voluntatem suam. Non tamen licet eum judicare, vel punire, vel deponere, quod non est nisi superioris.’ Thus is the papal supremacy, whatever name we may give it, by no means arbitrary and unlimited in the exercise of its jurisdiction, but tempered and restrained by the

* “In other words, the person of the Pope, like that of the king, is holy and inviolable. Without this truth, no monarchy can exist.”

spirit and practice of the Church,—by the consciousness of duties correlative with rights,—by respect for general councils,—by regard for ancient ordinances and customs,—by the mild tone of the government,—by the acknowledged rights of the episcopal office,—by the distribution of affairs founded thereon,—by the relation to the secular powers,—lastly, by the spirit of nations.”—pp. 251-3.

Erklärung der heiligen Schriften des Neuen Testaments, nach den Heiligen Vätern. Heraus gegeben, von F. Xavier Massl.—Explanation of the New Testament Scriptures, according to the Holy Fathers. Edited by Francis Xavier Massl. Vol. VI. Vienna: 1838. This will be found a very useful work for preachers and catechists.

Die Franciscaner in Jerusalem, oder stimme aus dem heiligen Grabe. —The Franciscans in Jerusalem; or, a Voice from the Holy Sepulchre. By the Rev. Aloysius Standenraus, Parish Priest. Landshut: 1838.

THE Franciscans, it is well known, are the Catholic guardians of the Holy Sepulchre, and have been long exposed to the oppressions and extortions of the Turks, and the malignant calumnies and jealous encroachments of the Greek schismatics. Since the disastrous revolutions of Spain and Portugal have inflicted on those countries all the evils which irreligion, anarchy, civil war and bankruptcy bring in their train, the contributions to the Holy Sepulchre, that were mainly derived from those kingdoms, have unfortunately been stopped. In their embarrassment and distress, the guardians of this sacred spot have made an appeal to the benevolence of the Catholic public. It is for the Catholics of Europe to decide whether schismatics alone shall offer up the unspotted sacrifice on their Saviour's sepulchre; whether the orthodox, whose example should be as a shining light to all mankind, will refuse to kindle a lamp on that “glorious tomb,” where the Divine Redeemer triumphed over death, and led away “captivity captive.” The present pamphlet is an energetic address to the Catholics of Germany, to make pecuniary contributions towards the maintenance of that sacred sepulchre, for whose deliverance, their pious and valiant ancestors underwent so many toils, and braved so many dangers. That excellent and enlightened monarch, the king of Bavaria, has instituted a commission for receiving all pecuniary donations for this pious and charitable object; and in Austria also, we believe, permission has been obtained to make collections for the same purpose.

J. M. Sailer's Sämmtliche Werke. Neunzehnter Theil.—Dr. J. M. Sailer's Complete Works. Part XIX. Sulzbach: 1839.

THE venerable Bishop Dr. Sailer, lives embalmed in the memory of Catholic Germany. From the beauty of his genius, the amenity of his piety, and the grace of his style, he has won the surname of the German Fenelon. He was in his youth, a member of the society

of Jesus, and was afterwards promoted to the archiepiscopal see of Salzburg, which he administered for many years to the great utility of the Church, and the edification of souls. In the exercise of his sacred functions, he was a model of prudence, firmness, and piety, and as a writer, he has obtained a classical reputation. His friend, the prebendary Widmer, is now making a general collection of his works, which are very voluminous, and embrace a variety of topics, connected with philosophy, moral and dogmatic theology, ecclesiastical history, and ascetic devotion. This part the nineteenth, that has just issued from the press, treats of the important subject of clerical education in a manner worthy of its distinguished author.

Geschichte der Einführung des Christenthums im Südwestlichen Deutschland, besonders in Württemberg.—Introduction of Christianity into south-western Germany, especially Wurtemberg. By E. J. Hefele, Professor Extraordinary of Theology in the University of Tübingen. Tübingen: 1838.

THE author is a young divine of great promise, formed in a school, which, within the last twenty years, has given so many distinguished theologians to Germany. His work treats of a portion of ecclesiastical history, hitherto very much neglected; yet is it one, which in a national, as well as religious point of view, must excite the liveliest interest. The author traces the history of the first foundation and early settlement of Christianity, not only in the modern kingdom of Württemberg, but also in the Grand Duchy of Baden, and the northern part of Switzerland. The history of this important change is divided into three epochs, which constitute so many divisions of the present work; the period of the Roman domination; the period of the independent kingdom of the Alemanni; and the period of Frankish sway. This last period is brought down to the reign of the second German emperor, Lewis the pious, under whose sway, the church in south-western Germany, by the establishment of various ecclesiastical institutes, obtained, if I may so speak, its consolidation and completion. The author gives an interesting account of the moral and religious doctrines, and the state of manners and society among the Pagan Alemanni. Still more interesting is his narrative of the labours and ministry of those apostolic men, Fridolin, St. Gall, Trudpert, and Pirmin, who went forth in the seventh century from the cloisters of Erin, in order to preach Christ crucified to the heathens of Germany. The great apostle of that country, St. Boniface, whose zeal crowned and consummated the holy work of the above-named Irish Missionaries, fills, as we may suppose, an important place in the present work. The following passage describing the humanizing influence of Christianity, is very beautiful.

“Yes, in our country, also, hath Christianity cleared away the darkness of the Hercynian forest—made its valleys habitable—united its scattered population in the bonds of social life—converted glens hitherto untrodden by human foot into abodes of peace—

founded on hills and in dales colonies, shedding far and wide the beneficent example of social order and settled civility, as well as presenting a model of agricultural labour—that ground-work of all human civilization. Christianity awoke and cherished the fine qualities innate in our forefathers—ennobled their manners, confirmed and exalted their excellencies, corrected their defects, and without stifling their noble germs of character, trained in the school of refinement those rude sons of Nature. It is a peculiar excellence of the Christian religion; a stamp of its vocation to universality; a warrant of its high descent, that unlike the universal monarchies of temporal potentates, it does not destroy in its universality the peculiar excellencies of different nations, nor efface the special characteristics of their existence, nor bend their individuality to the dead level of a spiritless uniformity. Thus for example, many centuries after their conversion, the character of the Germanic tribes was exhibited in the peculiar structure of their religious edifices, and, as it were, embodied in space.” p. 3.

The work before us, written as it is in a lively and agreeable style, is remarkable for the tone of piety which pervades it, its extent of research, and sagacity of observation,

Die gemischten Ehen unter den Christlichen Confessionen, geschichtlich dargestellt von Dr. Friedrich Runstmann.—Mixed Marriages among Christian Confessions, historically treated. By Dr. Frederick Runstmann. Ratisbon: 1839.

THIS is one of the most important treatises on the question of mixed marriages, which of late years has been so warmly agitated in Germany. In a theological and juridical point of view, the subject has been amply investigated; but the historical examination of the subject had not hitherto been treated with such copiousness of detail. “The proper authorities of earlier times, as well as the writings of the Divines and Jurists of the three last centuries, says a German periodical,* had not hitherto been any wise sufficiently turned to account; but they really furnish an astonishing result. That in the sixteenth century, the marriage law in Protestant countries had fallen into a state of great confusion, all the world indeed knows; but what a height it had obtained, can only be seen by the work in question.” The author shows how wavering, contradictory and inconsistent were the opinions of Luther and the first Reformers on the nature and essence of marriage, the impediments to its contraction between different parties, the competent power to whose jurisdiction it belonged, and the lawfulness of divorce. As long as the Protestants maintained the doctrine of exclusive salvation in their several creeds, they reprobated all marriages between members of different confessions, wherein no agreement was made for the Protestant education of the issue of such alliances. And it is only since

* Historisch politische Blätter für das Katholische Deutschland. Vol. iv. No. 1, p. 22.

they have abandoned the above-named doctrine, they have become careless as to the exaction of such stipulations. It is now palpably unjust to demand of the Catholic Church, whose doctrines and maxims are immutable, the same commodious pliancy of practice,

Die Deutschen Päpste, Nach handschriftlichen und gedruckten Quellen verfasst von Constantin Höfler.—The German Popes. Their history drawn from Manuscript and printed authorities. By Constantine Höfler. Part I. Ratisbon; 1839.

THIS most valuable work, which has just appeared, may take its place by the side of the best histories of the Middle Age, which German literature can boast. Its object is to describe the lives and times of the Germans, who have filled the chair of St. Peter, from pope Gregory V, who attained that dignity in the year 996, down to the last German Pontiff, Hadrian VI, who departed this life in the year 1523. In this first portion of the work, which has seen the day, the author has traced the history of the pontificate of Gregory V, who, as we have said, flourished in the latter part of the tenth century; and that of Clement II, and Damasus II, who wore the tiara in the earlier part of the succeeding age, interweaving interesting reflections on the state of the Church and the Empire during those several periods. The work is distinguished for the purity of its religious principles, extent of research, solidity and power of reflection, and elegance of style. We can spare room but for one extract.

“When in the storms of the great migration of nations, the Roman empire gradually fell into ruins; when the Suevi, the Vandals, the Goths, and the Lombards, the Franks, Alemanni, and Burgundians, divided among themselves the rich booty; when the Roman emperor driven to the extreme east, could scarcely call a corner of the west his own; when the nations composing the Roman state, both by the hostile sword and internal oppression, and the invading tribes by their own barbarism seemed on the verge of ruin; then the Roman Church, offering protection to the oppressed, and a refuge to the poor, the destitute, and the weary of life, had already on that soil, which more than thirty popes had watered with their blood, risen out of small beginnings to the fulness of its power.

“And after it had defended the true faith against the attacks of the east as well as of the south, it extended its arms over the west to shed on the northern barbarians the blessing of the divine redemption, already imparted to the other nations of the Roman world. Nearly at the same time, was the infallible truth of apostolical tradition victoriously asserted against Constantinople, the fruitful mother of heresy, and the dangerous enemy of Christianity—Arianism, whose doctrines tended to destroy its very essence, and which, in three continents of the globe, had endeavoured to oppose to the one apostolic Church a rival Church, was, after a long struggle, completely subdued. Christian faith and Christian discipline,

too, without which, faith is soon shaken, as well as Christian art and science, found a permanent asylum in secluded retreats, in the solitude of lofty mountains, and in almost inaccessible glens. Then flourished in Ireland a chorus of saints, in Britain and Spain the Church was renovated, in France its decline was retarded, in Germany it was propagated, nursed, and tended. Nations, divided by bloody contests, were won over to the Redeemer, and led to the enjoyment of celestial blessings. The history of the ancient world can exhibit no change, which, in extent as well as importance, can be compared with the moral revolution that, in a very short period, occurred on the soil, convulsed by the northern migrations.

No state can present such a succession of blameless chiefs, as the Roman see numbers in the three centuries, from Pope Gregory the Great down to Pope Boniface IV. The example of holiness, which these pontiffs afforded, exerted a powerful influence on all classes. Kings descended from their thrones to serve, in obedience and poverty, their crucified Saviour, and in the renunciation of temporal advantages to obtain eternal happiness. High-born maidens spontaneously abandoned the pleasures of life; the hair-cloth in room of the cuirass, became the ornament of many youths; and the hall, which once resounded to the tumult of their revelry, and the clang of their arms, was exchanged for the solitude of the cell."

We should add, that to this work is appended a map of the city of Rome in the middle age.

Bayern's auswärtige verhältnisse seit dem anfang des sechszehnten Jahrhunderts. Aus gedruckten und ungedruckten Quellen dargestellt, von C. M. Freyherrn von Aretin.—The Foreign Relations of Bavaria since the commencement of the Sixteenth Century; historically delineated from Printed and Manuscript Documents. By the Baron von Aretin. Vol. I. Passau: 1839.

THE number of excellent works, which the Germans are publishing on their national history, furnishes the best proof that the old feelings of nationality are still alive and active in their bosoms. And it is still more pleasing to observe, that the German Catholics have applied themselves in all zeal and earnestness to the eradication of those tares, which Protestantism and infidelity had long, with undisturbed assiduity, planted on the field of history. This is the more necessary, as even the French, who, in theology and Christian philosophy, have, within the last thirty years, achieved such wonders, have, until lately, mostly neglected the historical department. The first volume of the valuable work which has just appeared, embraces, in four parts, the history of the foreign relations of Bavaria, from the commencement of the sixteenth century to the year 1634. It has brought to notice many interesting documents, illustrative of the early struggles of Protestantism in Southern Germany, and especially it throws great light on all the events connected with the Catholic league, and the magnanimous efforts of the great elector,

Maximilian I. As it was under this prince, Bavaria assumed an important position in respect to foreign powers, the historian has naturally devoted more particular attention to the extraordinary transactions of his reign. If Bavaria, if Southern Germany have preserved the inestimable heritage of the true faith, it is to the zeal, the energy, and the perseverance of this great man, who planned and conducted a defensive league against the secret machinations and avowed hostility of the enemies of the Catholic Church, those countries are indebted for the invaluable blessing.

Die Allgemeine Menschengeschichte neuester Zeiten für die studierende Jugend.—*General History of Recent Times, for the use of Young Students.* Vol. II. By G. F. Wiedemaun. Munich: 1838.

Of manuals of history for the use of schools, the German Catholics have not produced a great abundance; and the use of Protestant compendia of history in the Catholic Gymnasias, and other establishments of education, has not been without prejudicial effects on the minds of youth. This evil it has been the object of M. Wiedemaun to obviate; and his work may be safely recommended for the spirit in which it is written, and the talent which characterizes it. This volume describes the French Revolution, from its commencement to the coronation of Napoleon, and is distinguished, like the preceding, for clearness of method, solidity of observation, and ease of narrative.

Reise von La Trappe nach Rom.—*Journey from La Trappe to Rome.* By the venerable Father Maria Joseph de Géramb, Abbott and Procurator-General of the Order of La Trappe. Translated from the French by Professor Thum. Augsburg: 1839.

THIS journey may be considered as a supplement to the venerable author's *Pilgrimage to the Holy Land*, which has already excited such general interest. After describing in the first letter his return from Palestine to his convent, the saintly writer in the second commences the account of his pilgrimage to Rome, through Switzerland and France. In the third letter, he communicates many events of his earlier life, with reference especially to his abode in the prison at Vincennes; and, in the fourth, he gives a description of many curiosities at Paris. In the fifth, sixth, seventh, and eighth letters, the reader is conducted through Lyons, Valence, Avignon, Marseilles, and through several Italian cities to Rome itself. From the ninth to the nine-and-twentieth letter, which closes the book, the author, with few digressions, is exclusively occupied with Rome, the sovereign pontiff, the churches, the public establishments, and curiosities, as well as the religious festivals, throwing out on all these objects various and appropriate reflections. From this short sketch of the work, the reader may see how important are the matters it treats; and, indeed, we may safely recommend it to all, as a writing affording at once entertainment and instruction to the mind, and spiritual profit to the soul. Many false, prejudiced, and hostile ac-

counts of Rome and Italy, have received at the hands of the venerable Trappist their long-merited rebuke—a rebuke, however conveyed with a mildness of tone that spares the self-love of vanity, and yet with a truthful simplicity, that must win over every upright mind.

Leben und Gust der ehrwürdigen Louise von Marillac.—Life and Spirit of the venerable Louise de Marillac, first Superior of the Order of the Sisters of Charity. Translated from the French into German, by Michael Sintzel, Confessor in Ordinary to the Central House of the Sisters of Charity, in Bavaria.

At a moment when this benevolent order is the object of general attention, and after having produced such excellent fruits in France and Italy, is spreading its off-shoots in some northern countries, particularly Germany, the work before us is peculiarly opportune. Mad. de Marillac was one of the many ladies who, in the seventeenth century, edified France by the example of their charity and virtue. After having long co-operated with St. Vincent of Paul, in his various works of beneficence, she retired, on the death of her husband, from the society of the world, and, in conjunction with that great apostle of benevolence, founded the Order of "Sisters of Charity." This work is divided into three parts, the first whereof contains the biography of the venerable Louise de Marillac, and the second lays before the reader such of her meditations as are yet extant on the mysteries of the life of Christ, on the Holy Sacraments, on the Blessed Virgin, on the vocation of the sisters of charity, on vows, mortifications, &c. M. Sintzel has annexed to his translation three appendices, in the first of which he shows that the care of the hospital sick is better conducted by members of a religious order, than by hired secular attendants and nurses; in the second, he lays open the spirit and constitution of the Order of "Sisters of Charity;" and, in the third, he adduces several evidences and examples of the blessed effects of the ministry of individuals belonging to this religious institute. The work, whether in the French original of Dr. Collet, or in the German translation of M. Sintzel, is one of high interest and edification, not only for religious communities, but for secular persons of every age, sex, and condition.

Die vier Bücher von der Nachfolge Christi. Neueste, poetische Ausgabe.—The Four Books of the Following of Christ: recent Poetical Edition. By H. Achenbach. Düsseldorf: 1838.

This poetical version of the *Following of Christ*, is one among the many proofs of the ever-increasing admiration, which, in our age, this incomparable book commands. In France, likewise, a metrical translation has recently appeared, of which notice was taken in the last number of this journal. The German version is allowed, by competent authorities, to have overcome many of the difficulties inherent in the task; and while it is distinguished for a certain rhyth-

mical ease and softness, to have retained much of the unction and noble simplicity of the original.

Before we conclude, we must record the publication of a second edition of Dr. Staudenmaier's excellent work, *Der Geist des Christenthums*, which, perhaps, we may make on another occasion the subject of an article. The object of this beautiful book, which has excited general admiration, is to explain the signification of the festivals and ceremonies of the Church; to analyze the sentiments and emotions which they call forth, and point out their influence on art.

Since our last notice of German literature, several new periodicals have started up. Dr. Höninghaus, the learned and indefatigable convert, edits, at Frankfort, an Ecclesiastical Gazette, entitled, *Die Katholische Kirchenzeitung*, which meets with considerable success.

A still more important journal, is the *Zeitschrift für Theologie* (theological periodical), which appears at Freiburg, in Brisgau, under the editorship of those distinguished divines and biblical scholars, Dr. Hug, Dr. Hirsch, Dr. Staudenmaier, and others. Two numbers of this quarterly journal have appeared, and the articles they contain are highly interesting, and display considerable learning and ability. Among them, may be noticed a most masterly refutation of Strauss's blasphemous work, *The Life of Jesus*, by that celebrated biblical critic, Dr. Hug.

The journal, edited by the younger Görres and Phillips, entitled, *Historisch-Politische Blätter* (*Historico-Political Papers*), pursues its career most gloriously, and exerts great influence on public opinion.

MISCELLANEOUS INTELLIGENCE.

THE CANONIZATION.—Trinity Sunday (May 26th) having been fixed for this solemn and imposing rite, the archbishops and bishops, within the neighbourhood of Rome, were invited, by circulars from the Congregation *del Concilio*, to the city. The virtues and the miracles wrought by the five saints, B. Alphonsus Liguori, Bishop of St. Agatha, Founder of the Order of Our Blessed Redeemer; B. Francis, of Girolamo, Priest of the Society of Jesus; B. John Joseph, of the Cross of the Order of St. Peter of Alcantara; B. Pacificus, of San Severino of the Reformed Minor Observance; and B. Veronica Giuliani Capuchiness,* had been previously examined and approved by the Congregation of Rites, and by several popes, decrees having been issued, at various stages of the process, by nearly every pope since the middle of the last century. A favourable decision having been given on all these occasions, as well as in the Secret Consistory, held in December last, notice was given of five Consistories, to be

* For an account of their lives, and of the processes gone through before their canonization, see their *Lives*, published by C. Dolman, London, 1839.

held during the three first weeks in May, to be composed of the cardinals, archbishops, and bishops, in the city. The first of them was held in the Vatican Palace, on the 8th of May, and consisted of thirty cardinals, the patriarchs of Constantinople and Antioch; and forty-three archbishops and bishops. His Holiness, in a short allocution, pointed out the leading virtue and actions of B. Alphonsus, and declared himself inclined to enrol him in the catalogue of saints, but judged it expedient to request the previous counsel of the persons present. Each of the cardinals and prelates then read his autograph vote, which was afterwards delivered to the pope. At the conclusion, his Holiness pronounced his conviction that all were unanimous in desiring the canonization of the servant of God; but as he was unwilling to proceed without the utmost prudence, he requested them to join with him in prayer, to obtain the divine light upon his determination. It is worthy of remark, that Cardinal Pacca, in his vote at the first Consistory, expressed his joy at seeing the approach of the canonization of B. Alphonsus, with whom in his youth he had been acquainted, and whose cause he had, from the beginning, watched over and promoted, with the utmost anxiety and zeal. In the four succeeding consistories, the same order was observed, and the number of bishops increased on each occasion. Fasts, public prayers, and the exposition of the Blessed Sacrament, were ordered by the cardinal vicar to implore the grace of God and the assistance of his Holy Spirit, to guide the pope in his decision.

The preparations in St. Peter's began early in the present year. The nave and transept were covered with rich hangings, and thousands of lights in every part of the church, added to the brilliancy and splendour of the ceremony. Along the transept, were arranged medallions and pictures, representing the miracles wrought by the saints: the first, of B. Alphonsus, represented the instantaneous cure of Antonia Tarsia, who, in falling from an immense height, with a sack of grain, had been so severely bruised, that her life had been despaired of; the second, was the cure of Peter Canale, a Camaldolese lay-brother, who, upon applying the picture of the saint to his breast, was at once cured of a dangerous wound, caused by a bruise he had received. The first miracle of B. Francis, of Girolamo, was the healing, in the person of Cajetan Santoro, of an incurable gangrene; the second, of an ulcer, in the person of Maria Greco, which had been produced by an inveterate epilepsy, to which she was subject. The miracles of B. John Joseph, were the instantaneous cure of Francis Salerno, a priest, and of Mary Romanelli, a nun, from mortal distempers, the latter being at the point of death. Those of B. Pacificus, were the cure of Serafina del Bergamo of a dangerous complaint; and of Maria Marchetti, reduced to the last extremity, by repeated wounds inflicted on her person. The medallions of B. Veronica Giuliani represented the sudden cure of Maria Geltrude of consumption, pronounced fatal by her physicians; and Scolastica Gigli, of a dangerous fracture. A large picture of the

Most Blessed Trinity, surrounded with rays of glory, was over the papal throne, on each side of which were the standards of the saints: and between the throne and high altar, were seats for the cardinals and prelates. Galleries were prepared on each side for the royal visitors and the *corps diplomatique*. The kings of Bavaria and Naples, the hereditary Prince of Bavaria, and the Princesses of Saxony and Denmark were present. Galleries were likewise reserved for the papal choir, and the members of the religious orders to which the saints belonged.

At six o'clock, the procession began to move from the Sistine Chapel towards the grand colonnade, along the inside of which, the troops of the line were stationed. The procession consisted of the different colleges and the secular and regular clergy, with their respective crosses and standards, each individual bearing a lighted taper. They filed off on either side of the colonade, so as to allow the chapters of the three patriarchal Basilicas (St. Peter's, St. Maria Maggiore, and St. John Lateran,) and the rest of the procession to pass between them. To them succeeded the Vice-Gerent of Rome, with the members of his tribunal, who were followed by the Consultants of the Congregation of Rites. The standard of B. Veronica followed, borne by the Confraternity of S. Felix, of Cantalice; and then, in succession, that of B. Pacificus, borne by the Confraternity of St. Antony of Padua; of B. John Joseph, by the Confraternity of the Blessed Sacrament of St. Peter's; of B. Francis, of Girolamo, by the Confraternity of St. Francis Xavier; and, lastly, that of B. Alphonsus, by the Confraternity of the Stigmata, to whom the Confraternity of the Blessed Sacrament had yielded this honour. Before each standard, walked six religious, in surplices, members of the orders to which the saints belonged; and the cords of the standards were held by the superiors of the order, except that the Prince of Polica, Don Joseph de Liguori, nephew of B. Alphonsus (who received the sacrament of confirmation at his hands), and the grand-nephews of the saint followed the standard of their illustrious relative; and that the cords of that of B. Veronica, were supported by Monsignor Mancini, one of the Papal Masters of Ceremonies, and Sig. Ignatius Giuliani, both related to the saint. After each standard, walked the postulators or solicitors of their cause before the Congregation of Rites. The prelates of the court, and officers of the pope's household, succeeded according to their rank; and, after them, the abbots, bishops, archbishops, and patriarchs, wearing their copes and mitres; and the cardinals, wearing the vestments of their order. The magistrates and governor of Rome, and the assistant cardinal-deacons immediately preceded the pope, who was borne on his state-chair, under a canopy, which was supported, alternately, by members of the German, Propaganda, English, Irish, and other colleges; the procession was closed by different officers of the court and household.

The procession having entered the church, the pope stopped for

a few moments before the altar of the Blessed Sacrament, and then proceeding to his throne, received the "*obedience*," as it is styled, of cardinals and bishops. Afterwards, Cardinal Lambruschini, Procurator of the Canonization, proceeded, together with one of the consistorial advocates, to the foot of the throne, and the latter, upon his knees, besought his Holiness to enrol the five servants of God in the calendar of saints. Monsignor Gasperini, Secretary of Briefs, replied, in the name of his Holiness, that, in a matter of such importance, no steps should be taken without the light of heaven; and the pope descended from his throne and knelt, while the litany of the saints was sung by the choir. The cardinal returned, and the advocate repeated the petition in more earnest terms; and the Secretary again replied, that fresh prayers must be offered up to the Holy Spirit; and the *Veni Creator Spiritus* was sung. At the third petition, the secretary answered, that his Holiness, being now satisfied, would pronounce the definitive sentence. The whole sacred assembly then rose, and the pope, seated on his throne, pronounced the decree, ordering their names to be inserted in the calendar, and enjoining that their memory should be revered by the faithful. The advocate returned thanks to the pope, in the name of the cardinal-procurator. The pope, rising from his throne, intoned the *Te Deum*, the trumpets sounded, salutes of artillery were fired from the Castle of Sant' Angelo; and all the bells of the city pealed for an hour. At the end of the *Te Deum*, Cardinal Rivarola, the first Cardinal-Deacon, first invoked the servants of God with the title of saints, and his Holiness recited the prayer, and imparted his apostolic benediction.

High mass was then celebrated by the pope, with the usual splendour and ceremonies. After the gospel, his Holiness delivered an eloquent homily in praise of the saints. At the offertory, the five oblations of torches, loaves and wine were presented to the pope by Cardinal Lambruschini, and fifteen other cardinals, attended by the postulants of the causes of the saints, and the various relatives already mentioned. At the end of mass, his Holiness was borne on his state-chair, attended by the cardinals and prelates, to the gallery over the grand entrance, and thence gave his benediction, in the usual form, to the immense multitude assembled in the square below.

A beautiful medal, by Girometti, has been struck, to commemorate the joyful event. On one side, is the head of the pontiff, and on the other, the five saints, in a group, with a ray of light beaming upon them; with the legend "*Mirabilis Deus in sanctis suis.*"

We regret to announce the death, at Rome, on the 23rd of June, of his Eminence Cardinal Joseph Sala, Priest of the title of Santa Maria della Pace, Prefect of the Congregation of Bishops and Regulars, and of the Extraordinary Sanitary Commission.—We have to add the death of Cardinal Fesch, first Cardinal Priest of the title of St. Laurence, in Lucina. His remains have been interred with those of his sister, Napoleon's mother, at Corneto.

*Sanctissimi Domini nostri Gregorii divina providentia papæ XVI.
allocutio habita in consistorio secreto postridiæ nonas Julii, 1839.*

VENERABILES FRATRES:

“ Officii memores tuendorum Ecclesiæ jurium, quod Nobis licet immèrentibus divinitus eum Supremo Pontificatu impositum est, reclamavimus hoc ipso in loco IV. Idus Decembris ann. 1837 contra vim illatam Venerabili Fratri Clementi Augusto Archiepiscopo Coloniensi, qui scilicet Borussici Gubernii jussu sub custodia militis procul a dilecto grege non aliam ob causam relegatus fuit, nisi quod in Mixtarum Nuptiarum negotio Ecclesiæ Catholicæ Regulæ, quæ cum ipsa ejus doctrina conjuncta sunt, perfringere recusaverat. Rursus deinde Idibus Septembris anni proximi Apostolicam vocem in Consessu vestro attollere coacti fuimus ob alia, quæ in eodem Borussia Regno contra jura et libertatem Ecclesiæ gesta fuerant, occasione præsertim Venerabilis Fratris Martini Archiepiscopi Gnesnensis et Posnaniensis qui in ipsa illa Mixtorum Connubiorum causa Sacerdotibus suarum Diocesum in memoriam revocaverat catholicam doctrinam, et cohærentis Canonum disciplinæ custodiam inculcaverat. Interea vero non prætermisimus agere, prout antea cum Regio Gubernio, et missis ad illud per ejus Administrum seu Negotiorum Gestorem iteratis expostulationibus Ecclesiæ causam tueri. Sperabamus equidem Serenissimum Regem melioribus utentem consillis denique permissurum, ut prædictus Coloniensis Archiepiscopus rediret ad Ecclesiam suam, atque ut idem ipse, nec non et memoratus Archiepiscopus Gnesnensis ac Posnaniensis, ceterique Catholici Antistites illius Regni in omnibus, quæ Religionis sunt, pastoralis auctoritate sua, Apostolicæ hujus Sedis ductu, libere fruerentur. Sed contra accidit; factum est enim ut Ecclesiasticæ libertatis oppressio novis subinde actibus urgeretur, et in negotio illo Archiepiscopi Gnesnensis et Posnaniensis res eo porro devenit, ut idem Venerabilis Frater, ob suam in disciplina doctrinaque Ecclesiæ Catholicæ servanda constantiam, a Laicis Magistratibus, nullum in ejusmodi personam et causam jus habentibus, judiciali Sententia condemnaretur. Decreverunt Regii Judices ea de re inde a postremis diebus Mensis Februarii hujus anni; verum reclamare antehac nolimus, quia Sententia eadem nondum Archiepiscopo denunciata fuerat, atque hinc tota illa causa in suspensio adhuc esse videbatur, Nosque ipsi non satis nôveramus quidnam a Judicibus pronunciatum fuisset. Sed facta est tandem ea denunciato sub finem Mensis Aprilis, postquam idem Archiepiscopus Regiis Litteris accersitus Berolinum se contulisset: ac re subinde evulgata, Nos integram quoque ipsius Sententia vim ex certissimis nuntis huc allatis rescivimus. Intelleximus scilicet, Archiepiscopum trium omnino delictorum apud memoratos Judices accusatum, in illa ipsa Sententia liberatum prorsus fuisse tum a crimine læsæ Majestatis, tum a crimine excitati ad seditionem populi; de quo quidem utroque vix credibile est ut prudentissimus ille ac mansuetus Antistes, in suspicionem venire potuerit. Ita ex tribus delictis eidem imputatis non aliud supererat, nisi quod in Mix-

torum Connubiorum causa Civiles Status Borussiae Leges (Leges nimirum Regulis Ecclesiae contrarias) violasse arguebatur. Atque hujus delicti nomine iidem Judices Archiepiscopum ipsum non modo ad solvendas Processus expensas, atque ut detineretur per sex menses in munito aliquo Castro condemnarunt, sed etiam inhabilem declararunt ad munia et officia quaelibet in Regno Borussiae obeunda, et infando praeterea ausu eundem a Pastoralis et Metropolitanae munere deposuerunt.

“ Verba desunt, Venerabiles Fratres, quibus explicare satis valeamus maerorem acerbissimum, quem ex ejus rei cognitione hausimus; sed Vobis difficile non erit vim nostri doloris ex ea, quam ipsi Vos experimini, molestia conjicere. Enimvero non agitur tantum de sacra Episcopi persona per translationem ad Laicos Judices utcumque violata: verum et causa, ob quam judicatus, et poena, quae irrogata illi est, longe graviolem divini Ecclesiae juris invasionem demonstrat. Nimirum si poenam illam spectetis, Archiepiscopus non temporalibus tantum incommodis multatus, sed de suo etiam in utraque Dioecesi, et circa Culmensis Suffraganeam Ecclesiam officio depositus legitur; quasi scilicet Sacra potestas, quam Episcopi a Spiritu Sancto per ministerium nostrum accipiunt, auctoritate possit saecularis Magistratus auferri. Si autem ad poenae causam respiciatis, violatio illa Civilium de Mixto Matrimonio Legum, ob quam Archiepiscopum condemnare voluerunt, non spectabat ullo modo ad civiles Nuptiarum ejusmodi effectus, quos ille minime attigerat, quin et se nihil prorsus de iis edicere velle declaraverat: sed tantum ut gravissimis pastoralis muneris obligationibus satisfaceret, atque adeo justis compulsus conscientiae stimulis Clerum suae utriusque Dioeceseos datis ad eos Litteris allocutus fuerat de sanctitate Matrimonii, et de religiosis obligationibus Catholicorum Conjugum, imprimis de prole universa ex divinae Legis praescripto ad veram Fidem educanda, et de cautionibus ab Ecclesia statutis ut obligationes eadem serventur; atque hinc Sacerdotes, indicta etiam a Sacro ministerio Suspensione, graviter admonuerat officii sui, ut Catholicis suae quisque Paroeciae eadem illa Dei et Ecclesiae praecepta opportune inculcarent; et quoties Catholicus aliquis Matrimonium Mixtum absque memoratis cautionibus, in suam scilicet futuraeque prolis spiritualem perniciem, inire nihilominus vellet ut caverent saltem Sacerdotes ipsi, ne tales Nuptias Catholico ritu conjungerent, aut illis assensum suum quoquo modo praerent. Jam vero si Catholico Antistiti liberum in Borussia non sit tueri sanctitatem Matrimonii, quod magnum in Christo et in Ecclesia Sacramentum est, nec Sacerdotes districte admonere de ratione, quam tenere illos oportet, ut sacrilegi facinus Catholicorum illicitas coram Deo et Ecclesia Nuptias inire volentium paternis instructionibus et adhortationibus impedian, aut certe ut illorum peccatum suo ipsi facto non approbent; si haec igitur, quae (ut repetere iterum juvat) non civiles ullos Matrimonii effectus, sed tantum Catholicam hoc in genere doctrinam Fidei ac morum, et cohaerentes Canonum sanctiones respiciunt, libera Episcopis in eo Regno non sint, quae

tandem erit libertas illa, quam Serenissimus Rex Catholicæ Religionis in Ditone sua diversis occasionibus repromisit? Hæc Nos ut primum cognovimus, statim subiit animum cogitatio gravissimæ obligationis, qua violatum adeo hac in causa Catholicæ Religionis Ecclesiæque Sanctæ jus defendere obstringimur. Quare post fusas ad Deum supplices preces, et rem universam coram Eo mature perpensam, nonnullis etiam ex vestro amplissimo Ordine sapientibus et prudentibus Viris ad deliberationem adhibitis, hodie tandem exquimur quæ ex unanimi eorumdem consilio facienda censuimus.

Et primo quidem expostulationes, quas supra memoravimus a Nobis hoc ipso in loco factas, ac subinde in publicum editas, enixius nunc in frequenti hujus diei Consessu iterantes reclamamus pariter contra reliqua omnia, quæ sive in causa illa Archiepiscopi Gnesnensis et Posnaniensis, sive aliis quibusque occasionibus in Catholicæ Religionis detrimentum, et contra Ecclesiæ Sanctæque hujus Sedis jura in Borussia Regno quomodolibet gesta sunt. Deinde querimur nominatim, ac vehementer expostulamus de Sententia illa, quæ prædicti Laici Judices sacram memorati Archiepiscopi personam in Religionis præsertim causa judicare, et Ecclesiastica etiam Depositionis poena multare ausi sunt; et Auctoritate nostra Apostolica declaramus atque decernimus, eundem Venerabilem Fratrem Martinum esse adhuc verum unicumque Archiepiscopum Ecclesiarum Gnesnæ ac Posnaniæ, et ex ea Sententia, utpote Canonico ac Divino ipso Jure irrita, nullum omnino jus amisisse; atque hinc ab Ecclesia quidem Culmensi in iis quæ Metropolitanæ jurisdictionis sunt, in cunctis vero quæ ad Religionem et Episcopalem auctoritatem pertinent, ab utroque Grege suarum Dioecessium omnimodam illi, prout antea, obedientiam deberi. Immo Antistitem ipsum ob suum Religionis studium, et invictam Episcopalis animi constantiam plurimus merito prosequimur laudibus, eique impense gratulamur, quod dignus habitus est pro Nomine Jesu contumeliam pati. Jam vero mens Nobis erat hanc reclamationem aliquo etiam novo improbationis nostræ documento confirmare, quod ipsa rei gravitas exposcere videbatur; quum præsertim in irritum usque modo cesserint præcedentes aliae expostulationes tum in causa illa Coloniensis Archiepiscopi, qui procul adhuc a Sede sua detinetur, tum in ipso negotio Archiepiscopi Gnesnensis et Posnaniensis. Verum ne festinatione potius ducti, quam longanimitate peccatoque consilio usi videamur; et ex justitia ipsa causæ adhuc sperantes, ulteriore illa improbantis animi significatione supersedemus.

“Atque hanc nacti occasionem profitemur etiam ac palam edicimus, Nos ad ipsam hujus diei expostulationem, uti et ad alias, quas antea fecimus, ægre admodum, ac reluctantem pene animo devenisse, sola scilicet Religionis causa, et nostri implendi muneris necessitate compulsos. Itaque nihil optamus magis, quam ut reditu ad Ecclesias suas Antistiti utrique permissio, et impedimentis, quibus exercitium Ecclesiasticæ Potestatis constrictum nunc est, tandem in toto Borussia Regno cessantibus, omnis in posterum dissensionis causa tolla-

tur. Et bona equidem, ut supra innuimus, spe sustentamur fore, ut felix hujusmodi eventus diu expectandum non sit. Enimvero si Rex Serenissimus, excelsa qua est mente, totam rei causam penitus attenderit, facile recognoscet in iis, quæ ab utroque Archiepiscopo gesta sunt, nihil haberi quod ad Religionis negotia non pertineat; ac probe insuper intelliget quam periculosum Civili etiam Ordini futurum esset, si Catholici suæ Ditionis magno numero inducerentur ad S. Matris Ecclesiæ regulas maxime in tam gravi re contemnendas; nam iidem ipsi ad contumaciam assuescentes subinde majori admodum facilitate Civiles Leges violarent.

Ceterum ad Civilia ipsa negotia quod attinet, etsi nemo jam nisi per manifestam injuriam de mente nostra dubitare posset, tamen palam rursus hic protestamur ac declaramus, Nos in solemnî hoc actu non aliud habuisse propositum quam Religionis Ecclesiæque jura tueri, non autem ut de rebus vere Civilibus, quæ Regii juris sunt, quidquam vel minimum attingeremus. Hinc etiam cunctos in Borussia Regno Ecclesia filios Apostolica Auctoritate admonemus, et obtestamur in Domino vehementer, ut in his quidem, quæ supra de Matrimonio et de consequentibus Conjugum obligationibus diximus, ac generatim in omnibus, quæ ad Fidem et mores pertinent, quæve sacrorum Canonum Disciplina statuuntur, obedienter adhaereant S. Matri Ecclesiæ, neque ullius unquam temporalis emolumenti spe, aut detrimenti metu, ab ejusdem communione et obsequio abduci se sinant; verum aliis in rebus, quæ Civilis sunt Ordinis, obtemperent fideliter jussionibus Serenissimi Regis, et avertant omnino aures suas a fallaciis turbulentorum hominum seditiosa docentium, atque adeo Majestati Suæ, juxta Pauli Apostoli monitum, subditi sint *non solum propter iram, sed etiam propter conscientiam*. Ita præceptis obediunt Divini Pastorum Principis, qui reddenda docuit *quæ sunt Cæsaris, Cæsari: et quæ sunt Dei, Deo*; et obmutescere illos facient qui de Catholicorum fidelitate apud Regiam Majestatem detrahere audeant.

“ Haec sunt, quæ in gravissimo, quod explicavimus, negotio Vobiscum, Venerabiles Fratres hunc in locum congregatis communicanda censuimus. De reliquo ne intermittamus, Venerabiles Fratres, Misericordiarum Patrem in gemitu et lacrymis per merita Jesu Christi suppliciter obsecrare, ut memoratis Archiepiscopis, nec non Praesulibus ceteris, et omni Borussia Clero, fidelique Populo perseverantem tribuat in voluntate sua famulatum, atque ut Serenissimum Regem ad præstandam subditis suis plenam Catholicæ Religionis libertatem inclinet; denique ut quæ inibi adversus Ecclesiæ jus cogitata gestaque sunt, in ejusdem bonum convertat.

(TRANSLATION.)

The Allocution of his Holiness Gregory XVI, held in a Secret Consistory in July, 1839.

Venerable Brethren,—Mindful of our duty of protecting the rights of the Church, which, with the supreme pontificate, was im-

posed by the Almighty on us, however unworthy, we poured forth from this same place, in the month of December, 1837, our protest against the violence done to our venerable brother Clement Augustus Archbishop of Cologne, who is imprisoned by the order of the Prussian government, under a military guard, for no other cause than that, on the matter of mixed marriages, he had refused to disobey the rules of the Catholic Church, which have a very close connexion with her doctrine. Again, moreover, in the month of September last, we were constrained to raise our apostolic voice in your congregation, by reason of other transactions, which had occurred in the same kingdom of Prussia, in opposition to the laws and liberties of the Church, with reference especially to our venerable brother Martin Archbishop of Gnesen and Posen, who, in that same cause of mixed marriages, had recalled the Catholic doctrine to the minds of his clergy, and had inculcated the observance of discipline, in conformity with the canons of the Church. In the mean while, however, we have not omitted to treat, as before, with the King of Prussia, and to protect the cause of the Church, by sending, with that view, reiterated expostulations, through his administrator, or *chargé d'affaires*. We had, indeed, entertained hopes that his serene majesty, following better councils, would have at length permitted the aforesaid Archbishop of Cologne to return to his church; and that he, and also the Archbishop of Gnesen and Posen, and the other Catholic Bishops of that kingdom, freely to enjoy in all matters of religion, their pastoral authority, under the guidance of this holy see. But it hath otherwise fallen out; for it hath happened that the oppression of the liberty of the Church hath been increased by new and additional circumstances; and in this matter of the Archbishop of Gnesen and Posen, things have gone so far that that same venerable brother, by reason of his constancy in observing the doctrine and discipline of the Catholic Church, has been condemned by the judicial decision of lay magistrates, who had no kind of authority over such a person and in such a cause. The judges of the king issued their decree on this matter, as far back as in the latter end of the month of February of the present year; but we were unwilling before this time to issue our protest, because that sentence had not as yet been formally notified to the archbishop, and on that account the whole business as yet appeared to be in suspense, and we ourselves had no sufficient information as to the sentence which would be pronounced by the judges. But, at length towards the end of April, that denunciation was made, and the archbishop being summoned by royal letters, had gone to Berlin, and the whole business having been then made public, we, also, have been informed of the whole force of this sentence by most sure messengers who have been brought hither. We have, moreover, understood that the archbishop stood accused, before the judges we have referred to, of three offences in the whole; but that, in the sentence itself, he was altogether acquitted of the charge of high treason, and, also, of

the charge of exciting the people to sedition ; in both of which cases, it is scarcely credible that so very prudent and well-skilled a bishop could have fallen under any suspicion. Thus, out of the three charges imputed to him, none remained except that it was alleged that in the cause of mixed marriages, he had violated the civil laws of the Prussian State—laws, be it remembered, which are contrary to the rules of the Church—and, under the pretence of this charge, these same judges have condemned the archbishop not merely to pay the expences of the process, and to be detained for six months in some fortress, but have also pronounced him incapable of performing any offices or duties in the Prussian kingdom ; but, moreover, by an unheard of audacity, have deposed him from his pastoral and metropolitical functions.

Words are wanting, venerable brethren, by which we can sufficiently express the very bitter grief which we derived from hearing of this affair ; but to you it will be no difficult task to conjecture the force of our sorrow from that which you yourselves must have experienced. But the matter concerns not only the violation of the sacred person of a bishop, by delivering him up to lay judges, but the cause also, on account of which he is condemned, and the punishment which has been inflicted upon him, exhibit a far more grave invasion of the divine right of the Church. For, truly, if you examine that punishment, you will find that the archbishop is visited not only with temporal inconveniences, but he will be found to be deposed from his office, as well in each diocesan church as in his suffragan church at Culm ; as if, in truth, that sacred power which bishops receive through our ministry from the Holy Spirit, could be taken away by the authority of the secular magistrate. But if you look to the cause of that punishment, that violation of the civil laws as to mixed marriages, on account of which they were desirous of condemning the archbishop, it had no reference whatever to the civil effects of such marriages, which he had not the least desire to interfere with ; but he had expressly declared that he had not the least wish to give any opinion in reference to them, but only to satisfy the very grave obligations of his pastoral office, and thus urged on by the just impulses of conscience, he had addressed his clergy of each of his dioceses, by letters sent to them, concerning the sanctity of marriage, and the religious obligations of married Catholics,—in the first place, as to the education of the whole of their family according to the direction of the divine law, and of the precautions appointed by the Church for the preservation of those obligations, and hence he had admonished priests, under pain of suspension from the sacred ministry, that it was their duty to take every opportunity of inculcating among all the Catholics of their several parishes these same precepts of God and the Church ; and that as often as any Catholic was desirous of entering into a mixed marriage, without the stipulated pledges to the great spiritual danger of himself and his future offspring, the clergy should, at least, take care not to celebrate any

such nuptials by any Catholic rite, and that they should not give their assent thereto, in any manner whatever. But if it be not permitted in Prussia to the Catholic bishop to guard the sanctity of marriage, which is a great sacrament in Christ and in the Church, or strictly to admonish the clergy as to the conduct which it behoves them to pursue in order by their paternal instructions and exhortations to prohibit the sacrilegious impiety of Catholics desirous of contracting marriages, which are unlawful before God and the church, or at least, not give their sanction to such an offence by any participation on the part of the clergy; of these things, then, which, (if we may be permitted to repeat,) regard not any civil effects of matrimony, but only the Catholic doctrine of faith and morals in this regard, and the corresponding sanctions of the canons; if these things, we say are not to be permitted to the Bishops in that kingdom; where, then, will be that liberty which his most serene Majesty has repeatedly on different occasions promised to the Catholic religion in his dominions? The recollection, as we have already stated, immediately rushed into our mind of the very grave obligation by which we are constrained to defend the rights of the Catholic religion and the holy church thus far violated on this occasion. Therefore, after pouring out our suppliant prayers to God, and after maturely weighing the whole affair in his sight, and after calling in to our deliberations some of the most wise and prudent members of your honourable order, we have at length, this day, decided on what by their unanimous advice we consider ought to be done.

“ And in the first place then, those expostulations which, as we have above reminded you, were issued from this very place and from thence proclaimed to the public more vigorously, even reiterating them in the very full assemblage of this day, we once more reclaim equally against all other matters which either in that cause of the archbishop of Gnesen and Posen, or on any other occasions have taken place to the injury of the Catholic religion and against the rights of the church and of this holy see, in any way whatsoever in the kingdom of Prussia. In the next place, we especially complain of, and vehemently expostulate against, that sentence by which the aforesaid laic judges have dared to pass sentence upon the sacred person of the aforesaid archbishop, especially in a question of religion, and even to inflict upon him the ecclesiastical punishment of deposition. And by our apostolical authority, we declare and decree, that the same venerable brother Martin, is still the true and only archbishop of the churches of Gnesen and Posen, and that by that sentence which is altogether void by canon and divine law, he has lost no right whatsoever, and hence by the Church of Culm, in those matters which are of metropolitical jurisdiction, and in all matters which pertain to religion and episcopal authority by each of his flock, in both his dioceses, in every respect to him as before obedience is owing; yea, to that Prelate himself, by reason of his care of religion and the unconquered constancy of his episcopal

mind, we offer much and well-merited praise, and we abundantly congratulate him that he has been deemed worthy to suffer contumely for the name of Jesus. But now, our mind was to confirm this our protest by some new document of our approbation which the gravity of the affair seemed to call for, especially since our other preceding expostulations have thus far been in vain, as well in the case of the archbishop of Cologne, who is still detained afar off from his see, as in this business of the archbishop of Gnesen and Posen; but that we may not appear to be acted upon rather by delay than to be under the influence of longanimity and peaceful council, and as still resting our hopes in the very justice of our cause, we will no longer delay that expression of our approval.

“ And availing ourselves of this occasion, we profess and openly declare, that we have worked ourselves up to the expostulations of this day as we did to those which we have formerly issued, with great anxiety and almost with a reluctant mind, forced on in truth solely for the sake of religion and by the necessity of performing our duty. Therefore, we long for nothing more than that both the prelates should be permitted to return to their churches, and that the impediments by which the exercise of the episcopal authority is now constrained, should cease through the whole kingdom of Prussia, and that all cause of dissension for the future should be removed. And truly, as we have already intimated, we are sustained by a good hope that a happy event of this kind will not long be waited for; for, if the most serene king, with that lofty mind which he possesses, would very thoroughly examine the whole affair, he would easily discover, that in what has been done by the two archbishops, there is nothing which does not belong to the concerns of religion, and moreover, he would come to the upright conviction that it would be most dangerous, even to civil authority, if the Catholics of his kingdom should be induced in great numbers to despise the rules of their Holy Mother Church, especially in so important a concern; for these same persons being habituated to contumacy, would from thenceforward with the greater ease be led on to violate civil institutions.

“ But, as regards civil matters themselves, although no one can, except by manifest injustice, have any doubt as to our mind, yet we once more here openly protest and declare, that in this solemn act, we have not had any other design than to defend the rights of religion and the church, and that in matters which are really civil, and which are under the jurisdiction of the king, we would not interfere in the smallest degree. Hence also, by our apostolical authority, we admonish and vehemently entreat in the Lord, all the sons of the church in the kingdom of Prussia, that in those matters, indeed, which we have observed upon above respecting marriage and the consequent obligations of married persons, and generally in all things which pertain to faith and morals, or which are decreed by the discipline of the sacred canons, they obediently adhere to their Holy Mother, the Church, and that they do not allow themselves through any hope of any temporal emolument, or fear of loss, to be

led away from her communion and obedience ; but, that in all other matters which belong to civil order, they faithfully obey the commands of his most serene Majesty, and altogether avert their ears from the fallacies of turbulent men, who teach sedition, and thus be subject to his majesty, according to the admonition of the apostle Paul, "*not only for the sake of anger, but also for conscience sake ;*" therefore let them obey the precepts of the divine chief of pastors, who taught, that we should "*render unto Cæsar the things which are Cæsar's, and unto God the things which are God's,*" and thus they would reduce to silence those who dare to traduce the fidelity of Catholics to his royal majesty.

" These are the matters, most venerable brethren, which, in this most grave affair, as we have explained, we have thought it right to communicate to you here assembled.

" As for the rest, let us not omit, venerable brethren, suppliantly to entreat the Father of Mercies, with sighs and tears, through the merits of Jesus Christ, that on the above-mentioned archbishops, and on the rest of the prelates, and the whole clergy of Prussia, and on his faithful people, He will, in his good pleasure, bestow perseverance in brotherly affection, and that He will incline the most serene king to grant to his subjects full liberty for the Catholic religion ; and that, in a word, whatever may be thought and done against the rights of the Church may be converted to her advantage.

STATE OF RELIGION IN GALWAY.—The congregation of the two united parishes of Oranmore and Ballinacourty, amount to upwards of 20,000 people, the bulk of whom are extremely poor. The hurricane of the 6th of January, has greatly injured the chapel of Oranmore. It is estimated that 300*l.* will be required to put it in decent repair. The chapel of Ballinacourty, which is the most populous of the two, is a heap of ruins. The state of this parish is deplorable. No house of prayer, save, occasionally, a barn, incapable of containing one-fortieth of the flock ; while the great body of the congregation is exposed to the inclemency of the weather. Sometimes even this accommodation cannot be had. Thus are thousands of the people often without the opportunity of attending divine service, and consequently debarred the advantages of pastoral exhortation. On week-days, the chapel of Ballinacourty served the purposes for a school-house, where 320 children received the benefit of a well-regulated education, and, on Sundays, of catechistical instruction. All these children are deprived of all means of education. To the philanthropist, a single glance will discover the probable results of these privations—ignorance, and, not uncommonly its concomitant, vice. To rescue his poor flock from those evils, and to enable him to repair one temple, and raise another, to the living God, the common Father of us all, the Rev. Mr. Gill, P. P. of the union of these parishes, is authorised, by his bishop, to receive the contributions which the benevolent may forward to his bishop, the Right Rev. Dr. Browne, Galway ; or to the Rev. Mr. O'Neal, at Our Lady's Chapel, St. John's Wood.

An awful sacrilege took place, about three weeks ago, in the church of SS. Cosmas and Damian: a man in open day opened the tabernacle, and carried off the pyx, with the consecrated particles: the circumstance put all Rome into commotion—nothing else was spoken of for many days. The man has been taken; he says that he consumed the consecrated hosts. There was an exposition of the most Blessed Sacrament for three days, in the same church, to make some reparation for the injury, and to avert the divine indignation. The church was crowded all the day, and in the evening, there were generally fourteen or fifteen cardinals present at benediction. On the last evening, the pope went; it was impossible to get near the church doors, on account of the immense concourse of people.—Another dreadful accident has lately happened. About the hour of 22 in the evening of the 28th of July, thirteen rooms of the Convent of the Annunziata fell in and killed six nuns. One poor nun was buried so deep in the ruins, that she was not found till late on the following day: it is said, that if it had happened five minutes sooner, all would have been killed, as they were all in the dormitory taking their repose, and that, the first bell having rung, the other nuns had gone into choir. The exterior walls have suffered nothing; externally the convent appears a fortress.

On Monday, the 8th of July, a consistory was held at the Quirinal Palace for the promotion to the dignity of cardinals, of Monsignor Ferretti, Archbishop of Fermo; of Monsignor Pignaletti, Archbishop of Palermo; of Monsignor de Angelis, Bishop of Corneto and Montefiascone; and of Father Bianchi, of the Camaldolese Convent of St. Gregory, at Rome.

Note to Article II. on the Judicature of the Commons on Controverted Elections.

Since this paper was put in type, the Bill introduced by Sir Robert Peel has been passed by the Legislature without the alteration of any of the provisions to which we have objected. The only variance deserving of notice between the Bill and the Act, occurs with regard to the appointment of Chairmen to the Select Committees. These Committees are still to consist of seven members, six of whom are to be appointed in the manner provided by the original Bill for the selection of the entire Committee. But the General Committee are to choose, at their discretion, six, eight, ten, twelve, or more members to serve, if they like, as Chairmen, who are to be formed into a separate panel to be called "the Chairmen's Panel," and to appoint from among themselves a Chairman to each Select Committee. Into the consideration of this provision we have not time or space to enter. Of the entire measure we shall observe, that there are in it so many complicated contrivances for delay, that it will be very soon discovered to be one of the most "ingenious devices" for testing the patience of suitors, which has for years emanated from the wisdom of Parliament.

THE DUBLIN REVIEW.

NOVEMBER 1839.

ART. I.—*Das Resultat meiner Wanderungen durch das Gebiet der Protestantischen Literatur : oder, die Nothwendigkeit der Rückkehr zur Katholischen Kirche, ausschliesslich durch die eigenen Eingeständnisse Protestantischer Theologen und Philosophen, dargethan ; von Dr. Julius v. Höninghaus.*—*The Result of my Wanderings through the Territory of Protestant Literature ; or, the Necessity of return to the Catholic Church demonstrated, exclusively from the Confessions of Protestant Theologians and Philosophers.* By Dr. Julius v. Höninghaus. Aschaffenburg : 1837.

THE very copious title of Dr. Höninghaus' work half relieves us from the necessity of explaining its object or its plan. It undertakes, as the words imply, to demonstrate, from the confessions of the interested party, on the one hand, the insufficiency of Protestant principles to discover or maintain the truth ; and on the other, the clearness and consistency of the faith professed by the Catholic Church,—the scriptural and traditional evidence of all her doctrines,—the wisdom and holiness of her institutions ;—the peace and security which her principles of unity produce, and the necessity of returning to that unity, whose violation, in the sixteenth century, shook the entire fabric of Christianity, and, in later times, has well nigh upturned its lowest foundations. With the exception of a brief analysis prefixed to each chapter, the work is altogether composed of testimonies from the most eminent philosophers, historians, and divines, in the several schools of Protestantism, selected with so much judgment, and arranged with such consummate skill, that, did not the reference at the end of the passage constantly occur, to undeceive the reader, it would be impossible to suppose that it was not an original and continuous work.

But its best merit is its unquestionable sincerity. Dr.

Höninghaus' *Wanderings* is no fictitious narrative: he is not a casual traveller, describing, as he passes by, the character and appearance of a foreign country. Protestantism was his native land. He has explored every province and every district within its jurisdiction: he is perfectly familiar with them all. Nor is the arrangement of his tour the result of fancy:—it is the order of his own clear and systematic inquiry; the journal of his own anxious wanderings, in search of truth, through the extensive domain of Protestant literature. When we add that his book is but the index of his own practical convictions,—that he has himself found a rest from his wanderings in the bosom of the ancient mother, and offers the result of his own labours as a guide to the steps of those who are engaged in the same inquiry,—we shall have said enough to secure for it the liveliest interest in the minds of all: of the Catholic, as a tribute to the evidence of that faith which it is his glory and his happiness to profess; of the sincere, but wavering, inquirer, as affording additional light in the path towards that peace which Dr. Höninghaus has so happily found.

The idea of a “Protestant apology for Catholic doctrines,” is not by any means new in controversial literature. As early as 1604, a *Protestant Apology* was published, under the assumed name of John Brerely, by Mr. James Anderton, whom Dodd* believes to have been a lay gentleman of Lancashire. The impression which it made at the time was so great, that Dr. Bancroft, archbishop of Canterbury, engaged Dr. Morton, the most distinguished controversialist of the day, to undertake its refutation. Dr. Morton does not hesitate to pronounce it a masterpiece in its kind: and, although many of its controversies were, to some extent, peculiar to the time, it is still a work of very great interest. Not very long since, a less copious, but yet a very valuable volume, under the same title, was published anonymously by Mr. Talbot, of the county of Wexford, also a layman; to which the learned Dr. Lanigan, author of the *Ecclesiastical History of Ireland*, contributed a long introduction, directed against the no-popery calumnies prevalent at the time. The plan and general division of the work, though somewhat imperfectly filled up in the detail, are in themselves extremely good, and perhaps of more general interest than those of Brerely: some of the heads are laboured with great success; and the materials, though scanty, are uniformly selected with great

* Tom. ii. p. 386.

judgment, and always from writers of acknowledged authority. But, in comparing either of these with the work before us, we perceive one striking difference;—they are purely, or principally defensive: and, while they examine those particular doctrines and practices by which the Catholic Church is distinguished, attend but little to the broad questions of authority and private judgment, into which the whole controversy may ultimately be resolved. In the arrangement of his plan, Dr. H., himself a convert to our Church, has had a decided advantage. Guided by his own experience of the steps which led him to his present conviction, he discusses, in the first instance, those great general principles on which the whole scheme of Protestant belief is grounded; and, before he proceeds to any particular controversy,—as, for example, purgatory, or the Eucharist,—he demonstrates, by historical as well as doctrinal evidence,—by the consent of authorities from every party—Churchmen and Dissenters, Lutherans and Calvinists, Supernaturalists and Rationalists,—the utter untenableness of their common principles, the entire and hopeless corruption of faith to which they have led, and the utter impossibility of its renovation, save by the acknowledgment of one infallible authority, the supreme and sole arbiter of belief.

Nor could the working of these principles be observed, under any possible circumstances, with greater advantage than among the Protestant sects of Germany, where the liberty of Protestantism is found in every possible modification, from the blind, unlimited submission of the old Lutheran, to the equally unlimited freedom of the Rationalist, unshackled by creeds, and acknowledging no superior in religion. Accordingly, the selection of authorities is extremely varied. We may find the reformer of the sixteenth century side by side with the professor or preacher of the last year. Nothing is too minute to be passed over: the opinions of all parties are consulted; and, that we may lose no opportunity of collecting the most recent opinions, we meet occasional extracts even from the religious periodicals which represent the views of the leading parties at the present day. In his next edition, the author must find a place for the new opinions of the Oxford school.

The work is divided into eleven chapters. The first four,—and in these the references to modern authorities are most numerous and most copious,—display the endless dissensions of Protestantism, and the fearful results in morality and religion to which they have led; tracing all to the fundamental

doctrine of private judgment, and wringing from those who had been its staunchest advocates, the acknowledgment of its insufficiency and danger. In the fifth and sixth, the author cites an immense number of authorities in favour of the leading doctrines of Catholicity. The seventh, which is one of the longest, contains a Protestant history of the Reformation, developing the motives which influenced the leading directors of its machinery,—the means employed in its propagation,—the inducements, political and personal, by which converts were won to its standard, and the rapine, violence, and blood, which marked its course throughout Europe. The eighth contains a detailed account of the variations of Protestantism, with the unchristian contests and savage persecutions by which, in defiance of every principle of the creed, each successive change was accompanied. The ninth chapter exhibits, in contrast with the Catholic Church, the evil results, civil, political, and religious, of the Reformation; and the work is wound up in a powerful concluding chapter, displaying the beauty and consistency of that religion, which our Church professes now, as of old; and earnestly exhorting the children of men to leave their broken cisterns, which can hold no water, and drink from that eternal fountain which springeth to eternal life.

And when we remember that, among *eighteen hundred and eighty-seven authorities*, which Dr. Höninghaus has brought together, not a single one is Catholic, we cannot help admiring the boldness which suggested the undertaking, and the perseverance which overcame the difficulties it presented. It is hard to look for justice at the hands of an enemy: for the Catholic, it is peculiarly disheartening. Proverbial as is the bitterness of literary warfare, it is charity itself, when contrasted with that bigotry which has distinguished religious controversy; and this has ever been bitterest of all, when directed against the Catholic religion. “*In scarcely a single instance*,” says the Rev. Mr. Nightingale,* author of the *Religions of all Nations*, “*has a case concerning them been fairly stated, or the channels of history not been grossly, not to say wickedly, corrupted*.” And Dr. Whittaker, in his vindication of Mary, acknowledges,—“Forgery, I blush for the honour of Protestantism while I write, seems to have been *peculiar to the Reformed*. I look in vain for one of these accursed outrages of imposition among the disciples of Popery.”

Many of the authorities cited by Dr. Höninghaus, especially on the doctrines of tradition, purgatory, confession, and the real presence, are already sufficiently familiar. We shall dwell rather upon those of more recent date, as illustrating more particularly the present state of Protestantism, and displaying the practical operation of its principles, their influence upon the interests of society, and on the progress or maintenance of Christian truth.

From the commencement, in the sixteenth century, of what has been well called the great "course of experimental theology," the first principles of faith have been becoming every day more and more unsettled. In its earlier days, while its working was principally negative, the directors, engrossed by the easy labour of pulling down, had no time to speculate or to quarrel as to the style of building up. But this concert was of short duration. The men who had the hardihood to disregard an authority which all before them had deemed infallible, had but little reason to expect that their own opinions should be treated with more consideration. Nor were opportunities long wanting for the exercise of this true Protestant liberty, which was the ground of their secession from the ancient Church, and which they proclaimed to all the children of the new gospel. It was easy enough, for example, to disclaim the Catholic doctrine of the Eucharist; but the difficulty was, to agree on something definite, which might be substituted in its stead. The rebellion of Carlstadt upon this point was the signal for a general revolt. Like the luckless idiot, who, for his amusement, drew back the bolts of the flood-gate, Luther and his associates forgot to calculate,—or discovered when calculation was too late,—that the tide of independence to which their own daring had given motion, might overwhelm themselves in its tumultuous course. The example of this early revolt was not forgotten. The sacramentarian heresy was but the prelude to other, and more fatal secessions: the tide of innovation, once set in motion, rolled on, till not a vestige of the original system was left, except the ground on which it had stood,—disregard of all authority. Freedom of interpretation once conceded, it was vain to put limits to its exercise: the same right which was claimed by Luther or Melancthon, could not with consistency be denied to Servetus, or Socinus; and history proves, with fearful evidence, that, however strenuously, though inconsistently, the exercise of this right has been resisted, it has been, and will ever be, impossible for its advocates to check

the onward course of licentious innovation. The Socinian extended, and consistently extended, the application of Luther's own principle, when he discarded all mystery from his interpretation of the Bible. The Deist, emboldened by the success of his predecessors, rejected the authority of the Bible altogether; and, by his undistinguishing hatred of all that is venerable in religion, opened the way for the finishing blasphemy of the Atheist, who blushed not to avow that unholy principle, which impiety, even before the days of the apostle, had adopted for her motto, "Let us eat and drink, for tomorrow we shall die!" "Assuredly," says Henke,* himself a Protestant, "assuredly there was much meaning in that saying of Fenelon's, '*Either a Catholic, or a Deist!*'"

We shall begin with the opening of the first chapter: it is a picture of the present state of Protestantism.

"'The Protestant religion,' says Professor de Wette, 'the union of its several Churches having been shaken, and indeed entirely dissolved, by the multiplicity of confessions and sects which were formed during, and after, the Reformation, does not, like the Catholic Church, present an appearance of external unity, but a motley variety of forms.† And we freely acknowledge, that, as in outward appearance, our Church is split into numberless divisions and subdivisions, so also in her religious principles and opinions she is internally divided and disunited.‡ The Lutheran Society resembles, in its separate Churches and spiritual power, a worm cut up into the most minute portions, each one of which continues to move as long as it retains power; but at last, by degrees, loses at once the life and the power of motion which it retained.§ Were Luther to rise again from the grave, he could not possibly recognize as his own, or as members of the society which he founded, those teachers who, in our Church, would fain, now-a-days, be considered as his successors. He founded his Church in Saxony. We come together to thank God for its foundation; but, alas! it is no more!'||—pp. 1-3.

"The dissolution of the Protestant Church is inevitable: her frame is so thoroughly rotten, that no farther patching will avail.¶ The bond of faith and liberty, which the Reformers sought to establish, has become loose; and in latter times, stone has been withdrawn after stone from the building of the Church, which is founded on the spirit of Christian freedom.** The whole structure of evan-

* Allgemeine Geschichte der Christlich. Kirche, B. iv. s. 185.

† Der Protestant, 1828, B. ii. Heft. 3.

‡ Die Christliche Kirche in der Idee, 1835, B. 1, Heft. 2, s. 55.

§ Fröreisen, Installation Discourse at Strasburg, 1713.

|| Reinhard, über die Kirchen-verbesserung, 1800.

¶ Boll, Verfall und Wiederherstellung der Religiosität.

** Ullmann, Theologischen Studien und Kritiken, 1832, Heft. 2, s. 270.

gelical religion is shattered, and few look with sympathy on its tottering or its fall."*—pp. 44-5.

"Within the compass of a square mile, you may hear four, five, six, different gospels. The people, believe me, mark it well; they speak most contemptuously of their teachers, whom they hold either for blockheads or knaves, in teaching these opposite doctrines; because, in their simplicity, they believe that *truth is but one*, and cannot conceive how each of these gentlemen can have a separate one of his own.† Growing immorality, a *consequence* of contempt for religion, in many places concurs also as a *cause* to its deeper downfall.‡ The multitude cut the knot which galls them, march boldly forward, and fling themselves into the arms of Atheism in thought and deed.§ Oh, Protestantism! has it then, at last, come to this with thee, that thy disciples *protest against all religion*? Facts, which are before the eyes of the whole world, declare aloud, that this signification of thy name is no idle play upon words; though I know that the confession will excite a flame of indignation against myself."||—p. 40.

Nor is this disunion confined to doctrines of lesser importance. If the reader turn to pages 16-24, he will find some of the most celebrated names of modern Protestantism ranged upon opposite sides of the questions of original sin, baptism, the resurrection, the trinity, the eternity of hell, and, indeed, every doctrine in natural and revealed religion. The natural and almost necessary consequence is indifference for all religion.

"The contests of the theological parties, for the most part, become known to the untheological public, and are openly discussed among the people.¶ From the disunion of the pastors there arises, in the heads and hearts of the people, nothing but confusion. They hear, they read; but no longer do they know where they are, whom they should believe, whom they are to follow.** Many who, until now, believed that they might rest upon the teaching of their pastor, with as much security as on the voice of the angel at the gate of heaven, now begin to waver. Advancing a little farther, they begin *to see more clearly*, and fall into doubts, of whose existence they had never dreamed: they have not inquired sufficiently to find their way out, and fall at last either into indifferentism or despair."††

"The antichristian spirit speaks aloud. We hold the Bible for

* Woltmann, *Histor. Darstellungen*, B. i. Theil. i. Vorrede s. 13.

† Fischer, *Einleitung in die Dogmat. der Evang. Kirche*, s. 210.

‡ Darmstadt *Allgem. Kirchen-Zeitung*, 1825, No. 13.

§ Brandes *Über den Zeitgeist*, 1810.

|| Dr. Jenisch, *über Gottesverehrung und Kirchl. Reformen*, 1803.

¶ Heydenreich, *Prediger-arbeiten*, s. 262.

** Lüdke, *Abschaffung der Geistlichstandes*.

†† Hammerschmidt, *All. Kirch. Zeit.* s. 1353.

our rule of faith; but I dare not say how it is interpreted. Even our universities go so far, that I fear they are preparing their own downfall; for when the salt loses its savour, it shall be cast out and trodden under foot.* The devil possesses more faith than many of our teachers, and Mahomet was far better.† It is awful, but yet true, that, among the Turks, no one with impunity dares blaspheme publicly, Christ, Abraham, Moses, and the prophets, as so many, among us, evangelical Christians, do, by word and by writing.‡ The number of those who explain away, as natural facts, the miracles of the New Testament, is *legion*; and their followers are as the stars of the firmament.”§

“Many of our sermons, even those of the superintendents, general-superintendents, court-preachers, and chief-chaplains, might, without the slightest impropriety, be delivered in a Jewish synagogue, or a Turkish mosque; it would only be necessary to substitute, instead of the words ‘Christianity,’ ‘Christ,’ which are introduced occasionally for the form sake, those which the speaker really intends, ‘the doctrines and precepts of reason,’ ‘the philosophers,’ as, for example, Socrates, Mendelsohn, Mahomed, &c.|| If a man, now-a-days, preach the pure and unadulterated word of God, and preach it with effect,—confounding the unbeliever, startling the self-secure, exciting the indifferent, strengthening and confirming the friends of Christ,—the cry immediately is raised, this man is *preaching Popery*.”¶—pp. 30, 33, 38.

This is not mere declamation. Every day, every new controversy in Protestant Germany, places the unhappy truth in a clearer light. Every day draws numbers from the standard of what is called—and the name is an alarming index of the state of religion—the *supernaturalist* party, and adds to the ranks of Rationalism. Clergy and laity alike fall away; and, although we may make a large allowance for exaggeration, still it is melancholy to find it asserted in a leading journal,** that the Rationalists are ninety-nine of every hundred of the Protestant population. What a striking illustration of the plain, common-sense observation, which Dr. H. cites from Cobbett's *History of the Reformation*.††

“Two true religions, two true creeds differing from each other, present us with an impossibility: what, then, are we to think of *twenty* or *forty* creeds, each differing from the rest? What is the

* Müller, in Archenholz Minerva, 1809, Juli, s. 67.

† Ewald Anhang zu der Schrift; Die Religion der Bibel, 1814.

‡ De Marées, Vertheidigung des Glaubens.

§ Über Bibel und Liturgische Bücher, 1798.

|| Homiletisch. Liturgisch. Correspondenz-blatt, 1830, No. 16.

¶ Ibid. No. 30.

** Darmstadt Allgem. Kirch. Zeit. No. 200.

†† Sect. 203-5.

natural effect of men seeing constantly before their eyes a score or two of sects, all calling themselves Christians, all tolerated by the law, and each openly declaring that all the rest are false? The natural, the necessary, effect is, that many men will believe that none of them have the truth on their side; and, of course, that the thing is false altogether, and invented solely for the benefit of those who dispute about it.....

“Whether the Catholic be the true religion or not, we have not now to inquire; but, while its long continuance, and in so many nations too, was a strong presumptive proof of its good moral effects upon the people, the disagreement among the Protestants was, and is, a presumptive proof, not less strong, of its *truth*. If there be forty persons, who, and whose fathers, up to this day, have entertained a certain belief; and if thirty-nine of these say, at last, that this belief is erroneous, we may naturally enough suppose, or at least, we may think it possible, that the truth, so long hidden, is, though late, come to light. But if the thirty-nine begin,—aye, and instantly begin,—to entertain, instead of the *one* old belief, *thirty-nine new beliefs*, each differing from all the other thirty-eight, must we not, in common justice, decide that the old belief must have been the true one? What! shall we hear these thirty-nine protesters against the ancient faith, *each protesting against all the other thirty-eight*, and yet believe that their joint protest was just? Thirty-eight of them must now be in error; this *must* be: and are we still to believe in the correctness of their former decision, and that, too, relating to the same identical matter?—Thus the argument would stand, on the supposition that thirty-nine parts out of forty of all Christendom had protested; but there were not, and there are not even unto this day, two parts out of fifty. So that here we have thirty-nine persons breaking off from about two thousand, protesting against the faith which the whole of their fathers had held; we have each of these thirty-nine protesting that all the other thirty-eight have protested upon false grounds; and yet we are to believe that their joint protest against the faith of the two thousand, who are backed by all antiquity, was wise and just! Is this the way in which we decide in other cases?”—pp. 601-3.

We have been tempted away from our subject, by the clear and solid reasoning of this admirable extract; and it is not without reluctance we return to that portion of it which we are now considering. Who can reflect with indifference on the state of morals and religion, where private opinion is so licentious, and public preaching so uncontrolled, that a preacher, from the pulpit of one of the first cities of Germany, may dare to talk lightly of the sanctity of the marriage tie, and palliate its violation?—where he may claim the privilege of interpreting thus our Redeemer's sentence on the adulteress; and where, above all, it is openly acknowledged,

that there is no principle in Protestantism to check this license of interpretation?*

Fearful, however, as are these abuses,—disheartening as is the prospect, where the first principles of faith are so utterly corrupted,—still the advocate of the Protestant doctrines is forced to look them steadily in the face, and acknowledge that they are the necessary consequence of that inalienable right on which his own belief is grounded. The experience of a few years brought this clearly before the eyes of the fathers of the Reformation. As they had defied the authority of the Church, they discovered that their own was disregarded in turn: the truths of religion slipped, one by one, insensibly, from their grasp; and, in bitterness of heart, they acknowledged that their power was unequal to the task of appeasing the spirit which they had themselves evoked.

“ ‘ Verily, I must acknowledge,’ writes Luther, ‘ much trouble cometh of my teaching! Yea, I cannot deny that this matter often maketh me sorrowful, when my conscience especially chideth me, in that I have torn asunder the former state of the Church, which was tranquil and peaceful under the Papacy, and excited much trouble, discord, and faction, by my teaching.† If the world endureth much longer, we shall be forced, by reason of the contrary interpretations of the Bible which now prevail, to adopt again, and take refuge in, the decrees of the councils, if we have a mind to maintain unity of faith.‡

“ It is of no little moment that the dissensions which have arisen among us, should remain unsuspected by posterity. For *it is truly ridiculous, that, after opposing ourselves to the entire world, we should, at the very commencement, differ among ourselves.*§ The whole Elbe could not supply water enough to bewail the dissensions of the Reformation. They doubt with regard to the most momentous doctrines. The evil is incurable.||

“ Our people are ‘ driven about by every wind of doctrine. We may, perhaps, still know what they believe in religion to-day, *but we are not sure that to-morrow they will believe the same.* In what

* Fischer, *Einleitung in die Dogmatik der Ev. Prot. Kirche*, s. 217.

† Luther, *Op.* tom. ii. p. 281, 387.

‡ Ibid. ii. cont. *Zuinglium*.

§ Calvin, *Ep. ad Melan.* p. 143. In the edition to which we have referred (Geneva, 1576), it occurs in p. 106. We regret to add, that, probably from the absence of the author during the printing of the present edition, the references are not unfrequently defective, and sometimes incorrect. He mentions this circumstance in the preface to the second edition, with a promise that, by occasional notices in the “*Universal Kirchen-Zeitung*,” a periodical which has been established at Frankfort-on-the-Maine, the defect shall, as far as possible, be supplied. Some of the references we have been obliged to give on the authority of the work itself.

|| Melaneth. *Ep.* i. iv. 100.

single point are those who have declared war against the Pope, agreed among themselves? If we take the trouble to examine the articles from the first to the last, we shall find that there is not one which is not admitted by some as an article of faith, and by the others rejected as ungodly.*—p. 441.

Have these predictions been falsified by the event? Has any subsequent modification of the principles of this unstable creed, checked that wild and licentious career of dogmatism, the thought of which embittered the last days of the stern and reckless Reformer? Has any balm been found for that malady which Melancthon declared incurable? Have those disgraceful dissensions, which Calvin would conceal from posterity, been suspended or accommodated in latter times? Let the history of the Reformation in England, Scotland, the Low Countries, France, Switzerland, above all, Germany, reply. Do not the same causes subsist to the present day?—are not their effects as appalling,—aye, infinitely more appalling,—than they were even in those days when the evil was pronounced incurable! Alas! disunion and strife seem to be of the very nature and essence of Protestantism!

“Discord and schism among the Protestants were inevitable. We can fancy to ourselves two periods in the formation of their religious opinions:—the first, their common struggle with Catholicity, the protest and separation of all these new religious parties from the Catholic Church; the second, their own internal process of reconstruction. In the first, all was pulling down; in the second, building up: the first was revolution—the second, constitution or organization. But it also followed that, in the one case, there was unity of purpose and community of exertion, and, therefore, union: in the other, diversity of purpose, and, therefore, discord and separation. As soon as they seriously set about reconstructing the sole true edifice of Christian faith,—as the architects were not of one mind, and were self-opinioned and obstinate enough to wish each for his own plans, models, and designs, in the erection and ornamenting of the edifice, although often they did not understand each other's language,—confusion and strife at once became unavoidable: oftentimes, before any considerable part of the work was done, they separated, each building a hut for himself, or taking up some temporary lodging, till he ultimately returned to the original dwelling. The expositions of Scripture, and the conclusions from it, which one party adopted, were rejected by another; and that, notwithstanding the claims of human authority, which they determined not to allow. But meanwhile, although authority was driven out at one door, it was let in at another, although in a new and more friendly shape. Before, it had dictated as an arbitrary and infallible *law*-

* Andreas Dudith, Schreiben an Beza.

giver; now, it spoke merely as an unerring *interpreter of the law*: instead of the dogma, prescribed without proof or warrant of Scripture, proven and Scriptural tenets were now proposed: but unfortunately, many now considered the proofs as worthless, and of as little power, as, before, all had deemed the authority of the Church from which they had seceded."*—pp. 52-3.

Nor is it possible to find, in the organization of Protestantism, any remedy for this evil. The opinion of Melancthon, in the sixteenth century, is that of every reflecting Protestant to the present day.

"How insecure the Bible is, as a foundation for a system of religion, may be learned from the fact, that all the advocates of the Bible have formed their peculiar and contradictory creeds from the same volume, and anathematized and persecuted each other on the same plea.† Can any man deny, that there are but few passages in the New Testament from which all readers deduce the same meaning? Now which of these is the right? Which should be adopted? Who is to decide?—who can decide?‡ According to genuine Protestant principles, it is impossible that the internal dissensions of the Church can be cured, except superficially; they cannot be stopped by the power of the Church, but must bleed on internally.¶ Is it not true that the Holy Scripture is the only rule of the Christian's faith, and that there is no infallible interpreter upon earth? In these two points all Protestants are agreed. Now, if they be sincere,—if they mean in their hearts, what, in their sermons, confessions of faith, and controversies against the Catholics, they have declared a thousand and a thousand times,—surely it is an inevitable consequence that they must acknowledge in every Christian a right to interpret the Bible for himself; and that those doctrines alone are articles of faith for each individual which *he reads in the Bible*, no matter whether others can find them there, or not."§—pp. 55, 56.

"Our Church is founded on liberty of faith: she tolerates difference of opinion, and, of course, tolerates *error*, and *must* tolerate it.¶ If we dispassionately consider the whole organization of the Protestant Church, there cannot be a doubt that thorough consistency is wanting.** The firm consistency and consecutiveness of the Catholic constitution is wanting to the Evangelical Church; it wants that mutual connexion of the members, and subjection to one head as the centre of unity."††

* Henke, Allgem. Geschichte, der Ch. Kirche, Th. iii. s. 276-9.

† Jenaer Allgem. Literatur-Zeitung, No. 48. 1821.

‡ Lessing, Beiträge zur Gesch. der Literat. B. vi. s. 58.

¶ Schleiermacher, Reformations-alman. 1819.

§ Coste, Anhang zu Locke's "Reasonableness of Christianity." 1715.

¶ Schulz. Nassauer, Prediger-Arbeiten, Heft. 1, s. 91. 1835.

** Ullmann, Theolog. Studien und Kritiken, Heft. 2, s. 301. 1832.

†† Fessler, Gesch. der Ungern, Th. 7, s. 677.

Unhappily too, this disposition to dogmatize is not confined to the mere interpretation of Scripture. It extends even to the authority itself, and canvasses the authenticity of every single book ; and, indeed, of every single passage in the Bible. The opinions of Luther with regard to the Epistle of the Hebrews and the Apocalypse of St. John, his utter and contemptuous rejection of St. James' *recht ströherner Epistel*, and, above all, the principle which he applied as a test of their authenticity, have not been lost on his successors in innovation. It is with extreme pain we transfer to our own pages a few specimens of the impious and blasphemous spirit, in which the work of biblical criticism is now pursued ; a labour, be it remembered, which the consistent Protestant is bound to undertake, as the first step in the formation of his religious opinions, whatever may be its dangers, and however inevitable the abuses to which it leads. The first of the following extracts is from the preface of a Bible published in 1819 by *the Strasburg Bible Society* !

“ The book of Ruth is a beautiful *family picture* : Luther did not consider the book of Esther *as of much value for Christian readers*. The book of Judith is a beautiful *pious romance, but pure poetry*. But, in the book of Tobias, there are superstitious accounts of good and bad angels ; and of the means by which we may counteract the influence of evil spirits. Some of the psalms bear the impress of the *imperfect morality of an early age*.* The book of the prophet Jonas is a *fable*, exquisitely wrought for that period ; for the purpose of reprobating the hatred of the Jews for the Gentiles, and representing it, in its true light, as unjust and foolish.† This tale is a story, which has much of the *romantic* in its character ; the object of which, considered in a moral point of view, is to display, in its full inconsistency and nakedness, the deep-rooted prejudice, that God was the God of the Israelites alone.‡ The prophecy of Jonas is a *symbolical poem*, whose object is to shew that disobedience to God and idolatry draw down the vengeance of heaven ; but that obedience, repentance, and piety to God, avert it from men.” §

“ Schulze and Schulthess *attach very little credit* to the gospel of St. Matthew.” ||

“ The gospel of St. John is *unquestionably* the production of a *disciple of the Alexandrian school*.” ¶

* Dr. Isaak Hapfner, Strasburg, 1819.

† Michaelis Übersetzung des A. Testaments.

‡ Augusti. Grundriss einer Hist. Krit. Einleitung in's A. Test.

§ Stäudlin. Neue Beiträge zur Erläuterung der bibl. Propheten.

|| Bretschneider Handb. der Dogm. B. II. S. 778. Note.

¶ Stäudlin's Religion's Geschichte, Th. III.

"Professor Ewald has demonstrated anew, (*Comment. in Apocal. exegeticum et criticum*, Leipzig, 1828) by the most triumphant evidence, that the gospel, epistles, and apocalypse of John cannot possibly be the work of the same author.* With regard to the apocalypse, the majority of Protestant critics dispute its authority." †

"Schleiermacher has attacked the first Epistle to Timothy; Eichhorn, both the first and the second; as also the Epistle to Titus, in his *Einleitung in's N. Test.* B. iii. s. 915." †

"Many, after Eichhorn, deny that the prophets enjoyed any supernatural revelation, and say that they were clever and experienced men, more likely, from their abilities, to foresee future events; and, from the purity of their manners, used as instruments of Providence to check a guilty age." †

"IT IS PROBABLE THAT THE WRITINGS OF THE NEW TESTAMENT DO NOT CONTAIN THE PURE DOCTRINES OF JESUS."—§ pp. 164-9.

Alas! who shall place limits to the wanderings of the human mind—effects, at once, of its weakness and of its strength! It is fearful to look upon it in these impious excesses. Well may the divines of Oxford protest against the name of Protestant! Well may they 'claim to be *Reformed*, not *Protestant*! || But it is easier to disclaim the title, than to disprove the consistency of its exercise: and it will be difficult, not to say impossible, to show the determined Rationalist, that, while he is at liberty to reject the authority of the ancient Church, he can be bound to submit his judgment, and close his eyes in obedience, to that of the Church of England, or any other authority upon earth. "Prove to me," said Rousseau, "that in matters of faith I am to follow any authority, and I shall be a Catholic tomorrow;" and a very slight acquaintance with the High-church controversy in England will attest the truth of Uytendobogard's memorable declaration: "they who discard this principle, and require unqualified submission to their synods, place themselves in a position in which they shall not be able to make a satisfactory reply to the Catholic's question, 'why they refuse to admit the Catholic councils?' and shall be compelled eventually to give up the case as lost."

* Theolog. Literat. Blatt. Allgem. Kirchen Zeitung, 1830. No. 43.

† Rose, on the present state of the Protestant religion in Germany, 1st edit. p. 161.

In this and the following extract, the reference in the author is to a wrong page. They will be found as we have referred to them.

† Ibid. 160.

§ Augusti. Theolog. Mona-schrift, Heft. 9.

|| Tracts, No. 71, vol. iii. p. 71.

Idle have been the attempts to stay this levelling spirit by the adoption of creeds and confessions. The attempt was irreconcilable with the first principles of Protestantism; and, by aiming at too much, defeated its own object. The disaffected never failed to meet it with the ready retort:

“However unquestionable the liberty of belief may be in the Protestant Church, as far as principles go, in practice it is miserably restricted. 'Tis true the Protestants have not a *pope*; but, what is far worse, they have *popes*. Protestant consistories equivalently supply the place of popes. ‘Liberty,’ say they, ‘must not be abused: the Church does not dictate to us, as with the Catholics, what we are to believe; we dictate it to the Church; not according to our own caprice, but as it is clearly expressed in the Bible, which in matters of religion we hold to be the only fountain of knowledge.’ And the Church of every particular district *must* hear what is dictated. Each individual preacher is not permitted the free use of his reason in examining the Scripture. Whoever will venture to use it, as I have done, will forthwith *be deprived of his charge, and taught what true Protestant liberty is.*”*—p. 31.

“The advocates of creeds mock the authority of the Pope of Rome; while they have themselves a *paper pope*, who, had not the passion for articles of faith been cooled, would have been infinitely worse.† The Lutherans of our day would set up a paper pope in place of one of flesh and blood; instead of the Bible rationally interpreted, their own books of confessions, as a sacred authority—as the eternal law, not only of teaching, but of faith!”‡—p. 84-5.

“No. On this point Hengstenberg is a Catholic, and not a Protestant. Nay, the Catholic Church, which possesses a living authority, leaves the Hengstenbergians, &c. far behind; for they cling to a *dead* authority—to their creeds and symbols which remain as a dead letter; anathematizing without mercy any one who but touches a single hair.§ It is these Papists of Protestantism who injure the good cause. If the principle be once admitted, that any created being has a right to cry out to the human mind: ‘thus far shalt thou go, and no farther,’ then he who first exercises the right, has gained the point. On the other hand, to exercise this right, and protest against it on the other, is to unite the most *consummate injustice* with the most *inconsistent absurdity!*||”—p. 123.

Thus, therefore, in the consistent exercise of the Protestant belief, there is a positive obligation, by which each individual is bound, alone and unaided, to form his own opinions from the Bible alone; discarding the human forms

* Langsdorf. Blößen der Protest. Theologie, s. 446.

† Paalzow. Synesius, s. 192.

‡ Haurenski. Der Teufel ein Bibel-erklärer! s. 296.

§ Ibid. 235.

|| Darmstadt Allgem. Kirchen-Zeitung, 1826. No.

of creeds and symbols. Could any consequence be deduced more clearly? And yet, could any be more absurd? Has this principle of unassisted enquiry ever been brought into consistent operation? Is it possible that it ever should? As well, with Episcopius,* require, that all, even the unlettered, should master the difficulties of the Hebrew and Greek originals, and discard the human aid of version and paraphrase!

“The duty of searching the Scriptures, it is true, is the groundwork of the Reformation, but for the great mass it is *impossible and absurd*;† *without authority*, for the majority of mankind a religion is *inconceivable*.‡ Men are so constituted, that, in the affairs of religion, they *require a guide*.§ We must have creeds, until men shall be able to stand upon their own feet, *as, in this world, they never shall*.|| Every human exposition of faith is an evil; but a *necessary evil*, to guard against greater. It is dangerous to truth and liberty; but yet indispensable. Either we must renounce unity and purity of faith altogether; or adopt somewhat of popery.”¶—p. 122-3.

Here then, on the one hand, the genuine principles of Protestantism preclude the use of creeds and formularies of faith, even for the unlettered multitude; while, on the other, the weakness of the human intellect, the acknowledged and proved obscurity** of the Bible, and the utter incompetency of the vast uneducated majority of mankind, render it impossible that they should be their own masters, even as to the first principles of religion. Where is the sincere enquirer to look for the solution of the difficulty?

“In this undeniable and well-known state of the case, as far as I can comprehend, there remains, as regards what is ambiguous, mysterious, or, in a word, what is not within the comprehension of the ordinary reader of the Bible, but this alternative—

“Either to recognize an infallible judge in matters of faith:

“Or to grant to all who agree with ourselves in professing themselves Christians, and denying the existence of an infallible authority, the right to judge, as shall seem right to themselves, of all that is dark and incomprehensible; however their judgment may differ from our own, and, this difference notwithstanding, to acknowledge them as brethren in the Church.

* Disput. Theol. t. ii. 445. See also Institut. Theol. t. i. 273.

† Jurieu, Lettres contre l'Histoire des Variations.

‡ Niemeyer, Beobachtungen auf Reisen. Th. 2.

§ Spalding, Vertraute Briefe.

|| Tief-trunk, Censur des Prot. Lehrbegriffs Vorrede, s. 12.

¶ Töllner, Unterricht der Symbolischer Büchern, 1796.

** See p. 607-8. et seq.

“ But, if we are disposed to adopt the first, then I can see *no farther alternative*. *There remains for us nothing but straightway to effect a reconciliation with the Catholic Church.*”*—pp. 128-30.

It is not a little remarkable, that the wanderings and wild excesses of ultra-protestantism, should have produced upon the reflecting portion of the community the same impressions, both at home and upon the continent,—a settled conviction of the absolute unfitness of the leading principles of the reform, either to form or regulate the creed, whether of an individual, or, still less, of a community. The high-churchmen of Oxford, and the confessionists of Germany, are alike agreed, that authority is indispensable as a constituent principle in a consistent creed. Whether the Church of England possess such authority, we must, for the present, leave to be discussed by the parties themselves. We shall content ourselves with transcribing, from a host of similar authorities, one or two very short passages, which it is impossible to mistake.

“ In truth, the Catholic supernaturalism is the *only* consistent scheme.† If a religion contain mysteries—if its path towards faith lie over prodigies, *the system of infallibility is the only possible one*. It is the *only system* recorded in history, which, in the mutual dependence and harmony of its parts, *can be said to deserve the name !*”‡—pp. 133-4.

It is no part of our present plan to enter into any examination of the special doctrines by which the Catholic Church is distinguished; we shall pass over, therefore, the fifth and sixth chapters, in which an immense host of names and authorities, from every sect and every party, is produced in favour of the doctrines of tradition, the real presence, transubstantiation, purgatory, the invocation of saints, &c. We could not hope to do justice by any selection; and, therefore, shall merely refer the reader to these chapters, as admirable in themselves, and as furnishing a most valuable supplement to those collections of Protestant authorities with which we are already familiar.

We come now to the history of the rise and progress of the Reformation, with the doctrinal divisions and variations of the several sects into which it was split even in its cradle. We feel that it would be impossible to offer even an analysis of these most interesting chapters (VII. VIII.); every authority illustrates some particular point,—every page is full of its own

* Wieland, Vermischte Aufsätze.

† Prof. Kähler, Send-schreiben an Prof. Hahn, s. 54.

‡ Reinhold, über die Kantische Philosophie, s. 197.

peculiar meaning; the whole is a succinct history of this extraordinary religious revolution in all its phases; and although it be composed of extracts from a great number of authors, exclusively Protestant, yet, so admirable is the skill with which they are selected and arranged, that it presents all the appearance of a uniform and continuous narrative.

Nor could any history present such claims upon the almost implicit confidence of the reader. It does not put forward the one-sided views of an enemy of the reform, and a partisan of the papacy. It is drawn up by the hands of the very men who were engaged in the work; or, at least, whose interest it was to conceal its defects. Not a single Catholic writer is cited in the entire range of the narrative; it is a purely Protestant history of the Protestant reformation. We see its entire machinery laid bare,—and by those who were well acquainted with its working; the motives by which its apostles were influenced; the means which they employed in its propagation. Let the reader, when he has learned, upon this unquestionable evidence, the human motives and human passions in which it had its rise; the rapine and licentiousness which disgraced its progress; the anarchy, civil and religious, which it produced wherever its steps were turned; when he has read of the ignorance and uncertainty which marked its earliest steps; the pride and personal feeling, as in the question of the blessed eucharist; or the mere accident, as in the controversy with Eck, in which its most important doctrinal changes originated; when he has turned, in loathing, from the foul and unchristian language in which the holiest questions are discussed, and the most exalted personages assailed; the coarse and calumnious devices by which the popular passions were excited;—with all this before his eyes, and upon the authority of the abettors and apologists of the reformation, let him ask himself, whether this was the work of God—whether it be possible that it was prompted by His holy spirit in its origin, or guided by His eternal wisdom in its after progress?

“The fiery youths, the princes, are the best Lutherans of all: they take presents and money from the cloisters and foundations; the multitude also appropriate the jewels, no doubt with the good intention of taking care of them.* The great mass of the people seem to have embraced the new gospel, solely for the purpose of shaking off the yoke of discipline, fasting, penance, &c., which

* Luther, von beider Gestalt des Sacraments, Wittenberg, 1528.

popery laid upon them, in order that they might live according to their own inclination, and give free rein to their inordinate passions.*

“To the princes Luther gave monasteries, cloisters, and abbeys; to the priests, wives; to the multitude, freedom; and that was doing a great deal for his cause.† The great were, for the most part, influenced by the Church property; the ecclesiastics, by the liberty to marry; the common people, by the hope of being freed from confession and other burdens. In fine, most of them had their private views and interests, although the profession and the love of truth was made to serve as the cloak for all.”‡—pp. 322-4.

Dr. H. has collected a good many specimens of the spirit and temper in which their theological discussions were conducted. But we feel that we should not consult either the instruction or the taste of our readers by transcribing them here. And, indeed, it would be an endless task; for the same spirit distinguished all their controversies. The dispute with Carlstadt, with Zuingli, that with Erasmus—though in a less remarkable degree—with Storch and the Baptists, all teem with the same unworthy spirit; nor do we conceive it possible, that any man rising from the examination of the controversies of that day, in which the holiest opinions of antiquity were upturned, and the wildest novelties substituted in their place,—knowing the spirit in which they were examined,—the ignorance of many, the pride and obstinacy of almost all the combatants, and the unrelenting hate with which each persecuted in the rest that freedom of conscience which all claimed for themselves, we do not think it possible that any man can look, without shuddering, upon this almost irremediable revolution; nor, however strong his prejudices in favour of the reformed religion, shut out from his mind the startling suggestion, that, in this great revolution, there was but little of that calm deliberation which distinguishes prudent counsels; that opinions and practices, which age had consecrated, and authority rendered venerable, were rejected from pique, or condemned without examination; that the majestic work of wise and saintly centuries was torn down in a few troubled years of anarchy and outrage, and the authority of the holiest and wisest men who had enlightened Christianity, rudely pushed aside by an excited multitude, dogmatizing from impulse or passion, rather than conviction; and, in the fury of

* Bucer de Regno Christi, l. i. c. 4. p. 24. Basil. ed. 1577.

† Brochmand, Examen Confessionis Augustanæ, p. 163.

‡ Arnold, Th. 2. Bd. 16. kap. 6. s. 57.

the hour, shut out from the possibility of calm or rational discussion.

The eighth chapter details the after history of the principal sects into which the leading families of the reform were subdivided; the story of each sometimes told by their own historians, but always from the pen of some one who, like themselves, was an enemy of Catholicity. It is in this portion of the history that the full working of their principles is developed. Hitherto they have appeared in a position, in which they are, more or less, influenced by a common object; hitherto, to adopt the language of Henke, we have seen them in the first phase of revolution. The work of demolition went on with comparative harmony; but now the labour, far more perplexing, of re-construction commences; and it is here that all, Lutherans, Calvinists, Anglicans, have conspired to furnish the best moral evidence of those Catholic principles which it was their common object to upturn. Scarce had Luther been called to his last and fearful account, when the thin veil of external union, which his despotic rule had flung over the dissensions of his party, was torn into a thousand fragments. The Antinomian controversy furnished the first material of strife; and, in a short time, divided the territory of Lutheranism into two districts—their head-quarters at Meissen and Thuringen—as distinct, and as inveterate in their hostility, as if they had never been united under one ruler. The spirit soon extended over the entire country; and we may judge of the rage of the contending parties, from the report, industriously circulated by the partisans of one opinion, that the devil had carried off Osiander, one of the leaders of the opposite party, and torn his body into pieces. So firmly was it believed, that the corpse was publicly exhumed, in order to remove the impression! Nor was it confined to their public relations: it extended even to the intercourse of private life; and Menzel tells* that a party of sacramentarian refugees, consisting of women and children, who sailed from London in the depth of winter, were prohibited to land, under pain of death, successively at the ports of Wismar, Rostock, Lubeck, and Hamburg, simply because their leader had distinguished himself by his writings in the sacramentarian controversy!

The discussions on works, free-will, and a thousand other points, furnished never-failing fuel for this intolerant spirit. In vain did the authorities resort to the Catholic expedient of

* Bd. iv. s. 118.

synods and concordias. Their formularies were disregarded by the dogmatizers whom they sought to silence; and only supplied new material for dissension to that party whose opinions they attempted to embody.

We could not hope to follow them through their after-wanderings; nor do we suppose that, except as illustrating the utter incapacity of any body of men to be their own guides in religion, there can be much interest in the motley history of the Gichtelians and Weigelians, the Ubiquitarians and Syncretists; or even the numerous, and, for a time, triumphant sect of Pietists, though it bears a striking resemblance to an important party of our own time. As each branch fell away from the mouldering stem, it divided into new fragments, each enjoying a short-lived existence, sufficiently protracted to perpetuate the seeds of disunion and strife.

The dissensions of the Calvinistic party form the second section of this important chapter. The author confines himself particularly to those formal divisions which took place in the Low Countries during the early part of the succeeding century. The rule of Calvin was not a whit less arbitrary than that of Luther; nor was it more successful in suppressing the spirit of insubordination, although the banishment of Sebastian Castalio, and the burning of Servetus, held out a fearful warning to those who might venture to think for themselves. To such a pitch did the disputes on predestination rise, that the authorities at Berne prohibited the discussion altogether. But it was in the Low Countries that the great organic changes in the constitution of Calvinism were brought about. The attempt to force the Belgic Confession and the Catechism of Heidelberg upon the people, called up the storm which had been gathering for half a century. The Remonstrants, as the protesting party was called, from their remonstrance against the fifth article, found an able leader in Arminius; while the contra-Remonstrants were headed by Francis Gomar; a name since famous, and identified with the darkest shade of Calvin's gloomy creed.

This party underwent many modifications. On the question, whether or not God's eternal decree of reprobation, precede, in the order of reason, the fore-knowledge of our common fall in Adam, they divided themselves into supra-lapsarians and sub-lapsarians; and, after a vain attempt, in 1614, to effect reconciliation, or at least mutual toleration, they subdivided into tolerants and non-tolerants. The unhappy John Barneveldt fell a victim in his grey hairs to the malignant

bigotry of this party; and his companion in imprisonment, Hugo Grotius, owed his escape from a similar fate to the affectionate and intrepid stratagem of his wife. But notwithstanding these violent measures, and the explicit condemnation of the Arminian doctrines in the synod of Dort—notwithstanding the deprivation and banishment of beyond eighty ministers who refused to submit*—the opinions still maintained their hold; and the dissensions of the party continued unabated. The question of the observance of the sabbath, soon after, excited a new flame, which blazed with equal fury. In all these contests the liberty of Protestantism was utterly forgotten; nor was there one who did not feel the justice of the declaration by which the celebrated Isaac Papin justified his return to Catholic unity: “That if an individual Protestant did wrong in refusing to submit to the decisions of his synod, the whole Protestant party was wrong in rebelling against the synod of Trent.”

The variations of Protestantism in England—the total remodelling of the articles and liturgy in 1562—the infusion of Calvinism at and after this period—the division into High and Low Church—the latitudinarian tendency, to which the names of Tillotson, Burnet, Hoadley, Chillingworth, and Watson, in their respective days, lent their sanction—the origin and increase of Methodism, with its own internal subdivisions—and finally, the motley forms under which dissent has, at all times, maintained its struggle with the Establishment—these form the third section; and the divisions of the Baptists under Joris, Hoffman, Nicholai, and Menno, the fourth: and lastly, as if to show the impossibility of union, no matter how few the articles of belief, a section is given to the dissensions even of the Unitarians; although it might be supposed that they, at least, had narrowed the debatable principles so far, as to render disagreement impossible or indifferent as to the few which remained. Thus, through an immense mass of extorted evidence, which it would be idle to attempt to condense, it is shown—from the first principles of the Protestant creed—from the history of its origin and progress—from the practical working of all the varied forms under which it has been tried by the several sects which have arisen since that period—that nothing approaching, even remotely, to the appearance of unity, ever has been, or ever can be, permanently maintained under its influence.

* Henke, Th. 3. s. 405. 24.

But it is time to draw to a close; and most willingly, had we not already exceeded our proposed limits, would we translate entire into our pages the concluding chapter, in which are recorded numberless admissions, which candour has wrung even from the enemies of our Church, that in her bosom alone is found the true home of the Christian inquirer after truth.

“When we look back upon past ages,” says Hurter, the Protestant historian of Innocent III., “and behold how the papacy has outlived all other institutions, how it has witnessed the rise and wane of so many states;—itself, amid the endless fluctuations of human things, preserving and asserting the self-same unchangeable spirit,—can we wonder that many look to it as that Rock which rears itself unshaken amid the beating surges of time?”

“The Catholic faith, if we concede its first axiom, which neither the Lutherans, nor the Reformed, nor even the followers of Socinus denied, *is as consistent and as consecutive as the books of Euclid*. The entire Romish religion is founded on the fact of a supernatural revelation, designed for the whole human race; which, as it embraces all generations, future, as well as present, can never be interrupted: otherwise the sublime work, accomplished by a God-man, and sealed by his blood, would be exposed, which is contrary to the hypothesis, to suffer, and eventually to perish, by the weakness and errors of men. These consequences of the first principles are indisputable; and there is not a single article of Catholic belief which is not justifiable, by the closest deduction, from this principle.*

“We, Protestants as we are, when we take in at one view this wondrous edifice, from its base to its summit, must acknowledge that we have never beheld a system, which, the foundation once laid, is raised upon such certain and secure principles; whose structure displays, in its minutest details, so much art, penetration, and consistency; and whose plan is so proof against the severest criticism of the most profound science!”†—pp. 705-6.

We have now traced the wanderer through his long and wearisome course,—full, alas! “of much labour and affliction of spirit,”—from the first doubt which crosses his troubled mind, to the full solution of all in the acknowledgment of that divine faith, which, like its heavenly master, is “yesterday, to-day, and for ever.” The zealous author has subjoined, in an appendix, an account of the most distinguished among those who, like himself, have trodden this laborious path, and, like him too, found a rest from their labours in the ancient home of Catholicity. “It is on record,” says Mr. Rose,‡ in his

* Gfrörer, *Kritische Geschichte des Urchristenthums*. Bd. 1. Pref. p. 15-17.

† Marheineke, *Symbolik*. 1810.

‡ P. 101. We cite from the first edition: the second is greatly enlarged, and by many degrees more interesting.

most interesting, though appalling, work on the state of Protestantism in Germany, "that some sought in the bosom of a Church, which, amid all its dreadful corruptions, at least possessed the form and retained the leading doctrines of a true Church, the peace which they *sought in vain* amid the endless variations of the Protestant Churches of Germany; and their gradual renunciation of every doctrine of Christianity." Nor is the spirit confined to Germany. It is the main-spring, strenuously and sincerely though it be disclaimed, of that remarkable revulsion of feeling and principle which the late publications of the Oxford press display. There is still a clinging, to be sure, to the vague and unsubstantial phantom of High-Church authority. But the principle is in truth the same which has guided so many back to the fold of Catholic unity; and a brief trial will decide the justice of its application.

We regard this remarkable religious movement with the deepest interest, and we look forward to the issue with the most assured hope. We cannot but admire the manliness and learning with which its leaders put forward their views in the controversy with their brethren of the establishment: and, although we deplore the acrimony, not to say blindness, with which the holiest tenets of our religion are discussed, yet we have been so long habituated to insult and misrepresentation, that we are content to bear on a little longer, in consideration of the better spirit of inquiry which is, even thus, excited. The progress of truth, however it may be modified by circumstances, or retarded by national or educational prejudice, still, in its general results, is uniform and secure: nor does it require much acquaintance with the polemical history of our own times, to read, in the attempted revival of High-Church authority in England, the same principles which guided back to the Catholic Church the steps of Stolberg and Schlegel in Germany; the same dissatisfied consciousness of the insufficiency of early convictions—the same unacknowledged want which individual resources cannot supply—the same unavowed, and probably unfelt, tendency to that unerring authority, which reason and experience alike have taught is the only stay for the weakness, the only guide for the waverings, of the human understanding. One* who was well qualified to read the signs of the age, has forewarned his fellow-Protestants that their Church will lose more of her members. The statistical returns

* Plank, "On the present position of the Catholic and Protestant Parties," p. 120.

of each succeeding year prove that he has read them aright; and that the time has come for the fulfilment of that prediction, which a few years' experience of the anarchy his own labour had brought forth, extorted from the founder of the reformation himself.* "If the world endure yet much longer, by reason of the contrary expositions of the Bible, it will be necessary, in order to maintain unity of faith, *to have recourse again to the decrees of the councils.*"

ART. II.—1. *Medical Portrait Gallery* (in Monthly Parts). By Thomas James Pettigrew, F.R.S. &c. Parts 1—18. London: 1838-9.

2. *Physic and Physicians: a Medical Sketch-Book, exhibiting the Public and Private Life of the most Celebrated Medical Men of Former Ages: with Memoirs of Eminent Living London Physicians and Surgeons.* 2 vols. 8vo. London: 1839.

3. *The Dangers, Irrationality, and Evils of Quackery; addressed to the Members of the Provincial Medical and Surgical Association.* By Charles Cowan, M.D. 8vo. London: 1839.

4. *An Exposition of Quackery and Imposture in Medicine; being a Popular Treatise on Medical Philosophy.* By Dr. Ticknor. 8vo. New York: 1839.

5. *Curiosities of Medical Experience.* By J. G. Millingen, M.D. Second edition. 8vo. London: 1839.

6. *Medical Notes and Reflections.* By Henry Holland, M.D., F.R.S., &c. 8vo. London: 1839.

WE have classed these various productions in the same category, because, being all of them of a desultory nature, and addressed to the public, it is presumable that the public feel some interest on the subject. *Physic and Physicians*, like men and measures, should be viewed in connexion with each other. The publications before us have various degrees of merit, and touch on such variety of topics, as to render selection a matter of much difficulty. In the observations which we are about to make, we shall endeavour to combine the useful with the agreeable, by noticing only such parts as are interesting in themselves, or about which the public at large are competent to form an opinion.

* Luther, lib. i. contra Zuinglium.

Mr. Pettigrew's *Portrait Gallery*, and the *Medical Sketch-Book*, which is currently reported to be from the pen of a young surgeon, have many points in common. Both have sought to render their works interesting, by entering on the field of living biography,—a species of composition in which neither of them have shewn much ability. We do not say that it would have been impossible to have rendered a work of this kind both instructive and interesting. Those who mingle much in medical society, and medical consultations, necessarily accumulate a great deal of interesting gossip; while those who live much in the world, gradually acquire an intuitive perception into character. It might, we say, have been possible for a person so situated, to have furnished many an epigrammatic sketch, and many a rich anecdote, for a volume of this nature; without obsequiously bending to adulation on the one hand, or entering into private or offensive details on the other. It is a very different affair, however, to enter formally on the task of living biography, which is on every side beset with difficulties of a peculiar nature. The facts for such histories are not easily obtained,—their bearing and influence on events are not readily appreciated,—the characters of individuals are concealed, during their lives, under a thick mask,—while it is impossible to appreciate their merits, without prejudice or partiality. Delicacy, too, will necessitate the concealment of many circumstances; and rumour will be but too apt to usurp the place of truth. If the delineation of human character, or the appreciation of literary merit, were as easy a task as to take likenesses, then there might be some sense in sitting to Mr. Pettigrew for that purpose, or sending him sketches, executed by our own hands, to receive his finishing touches at his leisure. That such has been the course pursued, there can be little doubt, if we may judge from internal evidence;—a course which seems also to have been adopted by the author of *Physic and Physicians*; although, in general, he has followed a shorter road to his object, and taken rough copies of such existing likenesses as were already made to his hands. As have been the methods, so also have the objects been the same as those of the common portrait-painter. The likeness was, if possible, to be preserved; but, at any rate, the picture was to represent the individual in the most favourable point of view, and generally in that which the sitter himself considered to be most prepossessing. An able portrait-painter, indeed, must possess a mind capable of conceiving greatness of character under a variety of aspects,

and be able to blend, in happy conjunction, an historic air with individual and characteristic peculiarities. An inferior artist, however, having only one idea of excellence, and that a superficial one, will not attain to these ends; but by giving to all his portraits the same pretensions, will fall into certain mannerism. This is precisely what has happened to Mr. Pettigrew and his *collaborateur*. In the ascription of excellence they are unwearied: every eulogistic phrase is put into requisition; the entire vocabulary of panegyric exhausted; yet there is no discrimination of character,—no nice appreciation of merit,—no regulation in the apportionment of praise; and consequently you rise from the perusal with the certain conviction, that the likenesses are not correct ones.

In the medical profession as in every other, there are certain individuals about whom there can be no doubt: their merits are generally acknowledged, and consequently it is no disparagement to their brethren, to hold them up to admiration. But it is an invidious undertaking to make a more extensive selection, by descending to a second or third-rate class of men, and thus to leave it to be inferred that those who are not mentioned are therefore not eminent. We should like to know, for example, what claims to eminence can be preferred by such men as Drs. Chowne, Turnbull, Billing, or Roe; or again, among the surgeons, by such men as Messrs. Wakey, Costello, or Dermott? That, with one or two exceptions, they are respectable and well-informed men, we are willing to concede; but to bracket them in the same list with Chambers, Brodie, Halford, Cooper, Lawrence, and several others, is a libel upon those gentlemen and a gross imposition upon the public. Neither is it the undistinguishing distribution of praise, or the invidious selection of individuals alone, that we complain of, but an attempt to bring into public notice certain persons, who have no claim whatever to distinction; while others, who are rated highly by the profession, and universally considered to be its chief ornaments, are passed over either in silence altogether, or else with condemnatory brevity; for example, among the physicians, Dr. Watson, Dr. Seymour, Dr. Todd, and Dr. Latham, and, among the surgeons, Mr. Tyrrell, Mr. Keate, Mr. Green, and Mr. Copeland, are not even so much as once alluded to. Drs. Roots, Sutherland and Holland, and Messrs. Mayo, Arnott, and Alexander, are honoured by the bare mention of their names. Drs. Warren and Marcet, (who, although classed with living physicians, have been ga-

thered to their fathers long since) are dismissed, the former in three words, and the latter in three lines. Mr. Key, whose claims none will deny to be considerable, has fared no better. Mr. Stanley and Mr. Morgan are discussed in two lines. About a page is allotted to Sir Benjamin Brodie, Sir Charles Clarke, Dr. Prout, Sir Charles Bell, and Dr. Chambers, respectively; while in singing the praises of Elliotson, Turnbull, Liston, Wakley, and others of this school, the author appears never to weary. It might be supposed, that, as good wine needs no bush, so our biographer was of opinion that a good cause needed no advocacy—that virtue was its own reward and merit its own trumpeter. Such a construction, however, cannot be received. “Medical men,” he says, “are in every sense of the word, public property,” (a pretty astounding proposition by the bye to set out with.) “The position which they hold necessarily raises them on a height for observation and criticism;—we deal only with them as public men; we view them in this capacity; *we point out the position they hold in society*; for what peculiar talent they are distinguished; and whether they are entitled to the support and patronage of those from whom alone they can expect it;” and finally, he winds up his exordium by stating, that he enters on the task under “a stern sense of duty.” We pass over the absurdity and gross pretension of any individual, however high in rank or great in talent, setting himself up as a censor on the whole medical public, and doling out his encomiums or abuse by the measures of his own erring judgment. We hesitate not to say it would be a flagrant abuse against modesty and good taste for any man, however extensively acquainted with medical literature and professional merit, to assume such an office; and therefore the more is it to be condemned in a young man, under an anonymous disguise; who is evidently without experience, and who has probably never encountered in his life those leading medical characters whom he has undertaken to describe. Still, were this self-imposed task “honestly, fearlessly and impartially executed,” as it professes to be, and under the consideration of “a stern sense of duty,” some amusement—possibly some advantage, might have been derived from it, and we might then have pardoned the temerity, in consideration of the honesty of the writer.

The author cannot but be aware that many of those on whom he has lavished his highest commendations, are not those whom the profession are wont to regard with the greatest respect, or the public with the fullest confidence. We have

a reasonable degree of respect for Dr. Granville, but we never before heard of his holding "a high rank" in the profession; Dr. Hope is a highly respectable physician, but he will probably learn with surprise that he has "obtained an elevated position in the ranks of society." Not less than twelve pages are devoted to the life of Dr. Elliotson, whose "peculiar mental trait" is described to be "a practical turn of mind," although it is notorious that this gentleman is and ever has been one of the most enthusiastic promoters of phrenology and animal magnetism, while all his writings have evinced a marked tendency, to run into extremes in the administration of practical remedies. Dr. Copland is designated as a man of "great talents," and his *Dictionary of Medicine* as a work which "will redound to the immortal honour of its illustrious parent." Dr. Copland is undoubtedly a hard-working and deserving physician, but it cannot, we think, be denied that his chief merit consists in extraordinary and indefatigable industry as a compiler. Dr. Sigmond is "ranked with the most accomplished and learned London physicians," although, to the best of our belief, Dr. Sigmond's renown is circumscribed within the Medico-Botanical Society, of which he is an ardent and active member, and to which he may have contributed some valuable communications. Dr. Leonard Stewart is mentioned as "possessing great powers of observation,"—"whose high and expansive forehead denotes a mind which exerts its just prerogative of thinking for itself," although those who have the pleasure of Dr. Stewart's acquaintance, recognize in that gentleman only the average degree of gentlemanly acquirements, with a physiognomy expressive of benevolence, rather than of high mental endowments. Our respect for this physician, leads us to regret that his biographer should have shown himself so injudicious a friend, as to drag, into the catalogue of his merits, a little brochure "On the tendency to Disease in Refined Life," which he put forth when quite a young man, as a slight exercitation, for amusement rather than for any more serious purpose. It is praised, however, as "a book, which all parents ought to read most attentively," and has the *singular* honour of being quoted in two long extracts. Then, again, Dr. James Johnson and Dr. Paris form a pair, the description of whom, had the author had a spark of waggishness in his composition, we should certainly have conceived to have been designed as a parody upon their persons. The author's chief admiration, however,

is bestowed on Dr. Turnbull, of whom we shall speak presently. Among the surgeons, Mr. Liston has the honour of being specially noticed. He is, *par excellence*, and, in the choice phraseology of our biographer, "one of our great surgical lions." He is distinguished by "transcendant talents," as well as by "a pre-eminence amongst the great masters of his art;" and to him is applied the poetical axiom, "*chirurgus nascitur, non fit*." As an author, his style is described as "simple and lucid"—(the very reverse, we think, of the truth)—while his skill, as an operator, is brought home to every one's comprehension by the following apposite illustration: "Were Mr. Liston's skill, as an operator, tested by his abilities as a carver, he would, indeed, shine pre-eminently. To see him dissect a goose or a turkey at his own dinner-table, is said to be a great curiosity. Without the aid of a fork, and simply with the knife, he carves the turkey in the most scientific manner, exciting the admiration of all who see him." We might go through the whole list of surgeons, whom our author has signalized, in the same manner; but we hope that we have said sufficient. Those whom he praises most, are often least deserving of commendation, and those whom he honours with the longest notices, are generally least known to the public.

Where error abounds, it is difficult to fix on that which is most prominent. We have already pointed out the error of representing Drs. Warren and Marcet as eminent living physicians. Mr. Faraday, the eminent chemist, in consequence of his having been honoured with the doctorate of civil law, has, also, been included in the same list, and a lengthened memoir has been given of his early struggles in life. Mr. Owen, too, the distinguished naturalist, and Mr. Wakley, the editor of the *Lancet*, are, in the same manner, dubbed eminent living surgeons; although there would have been just as much propriety in regarding in this light Mr. Joseph Hume, Sir James Mackintosh, Sir Humphry Davy, or Mr. Huskisson, because forsooth these gentlemen once graduated in the profession. Mistaking the sources of their celebrity, the author has not hesitated to lump these distinguished men all together, as he has done Drs. Roget, Birkbeck, Mantell, Arnott, Wollaston, and several others, who have rendered themselves conspicuous by their extra-professional acquirements. Sir James Clark is eulogized on the score of his work on

Consumption; before which, he asserts, "it was the generally received opinion in the profession, that phthisical disease was the common sequence of inflammation;" an opinion which, although partially correct, was never entertained by judicious physicians to the exclusion of other causes. On the other hand, this gentleman's Treatise on Climate, on which his fame, as a professional writer, indubitably rests, is dismissed in a few words. Dr. Chambers is represented as having overcome "insurmountable impediments;" as being a lecturer on the practice of physic; as being an examiner to the East India Company; and as making an average income of 4,000*l.* a-year. Whereas the fact is, Dr. Chambers began his career with a combination of circumstances in his favour; birth and fortune, talents and connexions, all waited upon him, so that his success was predicted as certain as soon almost as he had fixed himself in London. His lectures and his examinership have been long since relinquished, and his income must be at least double, if not treble, of what is stated by our author. In the instance of Dr. R. Bright, he has shown the same aptitude for missing the strong points of his case, and expatiating on those which have nothing whatever to do with his real fame as a physician. Sir Henry Hallford and Sir James Clark are seriously defended in their recent inadvertencies, one towards his friend, and the other towards a deceased lady of the Court, but still in a manner which is anything but advantageous to their cause. Dr. Baillie, he informs us, was rejected in his examination at the College, and, in resentment of the affront, challenged his countryman, Sir Hans Sloane, to a duel; whereas, Sir Hans happened to be an Irishman, and died nine years before Baillie was born; while the story of Dr. Baillie's rejection, we need scarcely say, is altogether a misconception. Had we the space, we could fill a dozen pages with the errors and absurdities of this blundering writer, whom the periodicals of the day, have, nevertheless, honoured with their most flattering approbation.

In his delineations of the deceased worthies of the profession, our author is guilty of fewer errors, and less of the bias of partiality; even here, however, his biographies chiefly consist of a mere list of names and dates, with, at other times, a confused medley of anecdotes, which have lost their flavour in the process of racking off. Their professional claims to distinction are seldom assigned with any degree of correctness, and philosophical reflexions are rarely met with. Where the

contrary occurs, some unacknowledged plagiarism is to be suspected, as may be inferred from other parts, where long extracts are made without the usual marks of acknowledgment. From the "Chronicles of Warwick Hall" (which, however, are made to include several distinguished surgeons) we extract the following account of Dr. Mead, whose munificence and erudition, added to his vast experience and strong natural sagacity, acquired for him the title of *Artis medicæ decus, vitæ revera nobilis*. We give the author's text as we find it.

"During almost half a century Dr. Mead was at the head of his profession; which brought him in, one year, upwards of £7000, and between £5000 and £6000 for several years. The clergy, and, in general, all men of learning, were welcome to his advice; and his doors were open every morning to the most indigent, whom he frequently assisted with money; so that, notwithstanding his great genius, he did not die rich. He was a most generous patron of learning and learned men, in all sciences, and in every country. By the peculiar munificence of his disposition, making the private gains of his profession answer the end of a princely fortune, and valuing them only as they enabled him to become more extensively useful, and thereby to satisfy the greatness of his mind, which will transmit his name to posterity with a lustre not inferior to that which attends the most distinguished characters of antiquity.

"No foreigner of any learning, taste, or even curiosity, ever came to England without being introduced to Dr. Mead; and he was continually consulted on difficult cases by eminent continental physicians. His large and spacious house, in Great Ormond Street, became a repository of all that was curious in nature or in art, to which his extensive correspondence with the learned in all parts of Europe not a little contributed. The king of Naples sent to request a copy of his works; the king of France did him the same honour. Dr. Mead's library consisted of ten thousand volumes, and his pictures, after his death, sold for £3417. 11s."—Vol. ii. p. 17.

When we reflect on the greater value of money in former times, the infrequency of visits to the metropolis for the purpose of advice, the paucity of the population, and the still greater rarity of opulent families, we shall cease to be surprised that Dr. Mead's income did not exceed £5000 a-year. On the other hand, it is to be borne in mind that the *honorarium* of the physician bore a certain proportion, in those times, to the rarity of professional skill; so that Dr. Ratcliffe is represented to have received at the rate of twenty guineas a-day before he had been settled a year in London, while a

fee of five guineas per visit was his regular reward for going from Bloomsbury-square, where he resided, to Bow-church. An anecdote to the same purpose is told of Dr. Hamey, which is as follows:—

“ It was in the time of the civil wars, when it pleased God to visit him with a severe fit of sickness, or peripneumonia, which confined him a great while to his chamber, and to the more than ordinary care of his tender spouse. During this affliction he was disabled from practice; but the very first time he dined in his parlour afterwards, a certain great man, in high station (General Ireton, son-in-law to Cromwell), came to consult him on an indisposition (*ratione vagi sui amoris*), and he was one of the godly ones, too, of those times. After the doctor had received him in his study, and modestly attended to his long religious preface, with which he introduced his ignominious circumstances, and Dr. Hamey had assured him of his fidelity, and gave him hopes of success in his affair, the generous soldier (for such he was) drew out of his pocket a bag of gold, and offered it all of a lump to his physician. Dr. Hamey, surprised at so extraordinary a fee, modestly declined the acceptance of it; upon which the great man, dipping his hand into the bag himself, grasped up as much of his coin as his fist could hold, and generously put it into the doctor's coat pocket, and so took his leave. Dr. Hamey returned into his parlour to dinner, which had waited for him all that time, and, smiling, (whilst his lady was discomposed at his absenting himself so long,) emptied his pocket into her lap; this soon altered the features of her countenance, who, telling the money over, found it to be thirty-six broad pieces of gold.”—*Gold-headed Cane*, p. 47.

Such instances, however, are not confined to the olden time. The late Lord Dudley and Ward, long before he was assailed by his terrible affliction, was in the habit of presenting his physician with whatever happened to be in his pocket at the time, whether it were a bunch of keys or a purse of gold. The late Major Snodgrass, who died a few years ago, leaving an enormous property, used never to offer his surgeon less than five guineas a visit, and fifty guineas, if any operation, however trifling, was performed. The late Dr. Yates, of Brighton, (if we recollect rightly) was presented with a carriage and horses, and 500*l.* a-year for life to keep them. Baron Heurteloup lately received (we will not say it was the spontaneous offering of his patient) four hundred guineas for the operation of lithotomy; and Sir Astley Cooper the enormous sum of one thousand guineas, for a similar operation, which his patient, Mr. Hyatt, chucked to him in his night-cap, in the excess of his gratitude. Still it must not be

imagined that such instances are frequent, or that many medical men are in the receipt of large incomes. It is probable that there are not six medical men in London at this moment who are in the annual receipt of 5000*l.* a-year, whereas, at the bar, there are at least treble that number. There is a fashion in medicine, as in other things, and consequently an engrossing monopoly. Dr. Chambers and Sir Benjamin Brodie, it is not unlikely, realize 12,000*l.* a year from their profession, but there is a long interval between these and any other persons. Sir Everard Home, during the time of the income tax, returned, it is said, 21,000*l.* as his professional income; but, if so, it was probably an *ad captandum* mode of exaggerating the magnitude of his business, inasmuch as he succeeded to his uncle, Mr. Hunter, who was a much more celebrated man, but who did not make half that income. Drs. Fothergill and Lettsom, Quakers by persuasion, and enjoying an extensive city celebrity, have been said to have realized in some years, the former 8,000*l.* and the latter 12,000*l.* The largest income, however, we believe, which was ever made in the profession was made by Sir Astley Cooper, during his residence in the city; it amounted, during one year, to 21,000*l.*—we have heard it stated still higher. The nature of city practice, joined to the extraordinary celebrity which this gentleman enjoyed during one period of his life, renders this account extremely probable. The merchants of the city are accustomed to come at once to the point, and to hand out their fees liberally: they lie comparatively close together—time is not wasted in consultations, nor are those observances required which are generally expected towards great people and their relatives: consequently a great deal of profitable business may be speedily dispatched. At the west-end of the town it requires good management to see three patients in the hour. Sir Henry Hallford, it is said, can accomplish four. But taking either of these data the amount is easily told.

The appetite for gold increases with increasing years, and instead of being allayed is more generally sharpened and invigorated by fresh acquisitions. The medical profession is proverbially liberal of its advice, and many are the instances which might be mentioned of great and striking generosity; still it is undoubtedly true that the veteran ranks of the profession are much keener after their fees than those who are yet unbroken to the business. The young physician blushes to accept his fee, and hesitates to repeat his visit; but such feelings are less seldom met with among the seniors of the

profession. We are of opinion that large fortunes are seldom honestly made in the medical profession. The late Baron Dupuytren, for instance, died in the possession of enormous wealth, but the manner in which it was obtained was far from being honourable to his character.

“He had a faithful servant, who was stationed at the door of the hall. Dupuytren had two bells fixed over the porter’s head, communicating with his consulting room. On bowing the patient out, Dupuytren rang one of the two bells. If the fee was paid, one particular bell was rung, and the servant understood that all was right, and the patient was allowed to depart without any interruption. If the patient forgot the baron’s fee, the ‘no pay’ bell was tingled, and the servant, understanding the signal, addressed the patient, very politely, in the following manner:—‘Mille pardons, Monsieur, I think you have forgotten to give the baron his fee.’ ‘Mon Dieu,’ exclaims the patient, ‘quelle négligence ! le voici, avec mille apologies au Baron.’”—Vol. ii. p. 86.

Colonel M——, whom we happened to meet in Paris, a few years since, consulted Dupuytren on some trifling ailment, but forgot to take his purse with him. He apologized to the Baron for his remissness, and promised to repeat his visit in a few days. He was interrupted, however, in his exit, in the manner which has been just mentioned, nor was he suffered to depart, without leaving his watch as a pledge for his re-appearance. In fact nothing could exceed the cupidity and rapaciousness of Dupuytren in his conduct towards the English. If gentlemen were known to have come to Paris expressly for his advice, he made no scruple of exacting from them the most unconscionable sums, and afterwards of abandoning his patients the moment he had operated upon them. On one occasion he proposed to an acquaintance of ours, who was in attendance on an English nobleman, to demand three hundred napoleons of his Lordship, for an operation, adding —“Si vous voulez en convenir, vous en aurez un centième.” If no previous bargain was made, a new expedient was then hit upon:—an agent was employed, who urged the most exorbitant claims, by describing his patron as “le plus grande chirurgien de l’Europe,” to whom it would be an insult to offer a less sum than that which was demanded. Are such examples to be found in Britain? We only recollect the story of Dr. P——, which is certainly worthy of being paired with that of Dupuytren: upon arriving one day to visit his patient, he was told that she was dead. “Ah ! dead, is she ? well, I will go and see the corpse.” In the hand was still clutched the accustomed fee, which the Doctor gently extricating, observed, —“Ah ! kind, you see, and generous to the last.” x 2

In speculating on “mad-doctors and mad-houses,” to which our author has devoted a separate chapter, he has shown an equal infelicity wherever he trusts to his own reason. Contrary to the received opinion of the profession, he asserts that monomania, which he mildly designates by the term “strange eccentricities,” is not a cause for separation from society, or for restraint from the patient’s ordinary avocations. The instances he adduces are that of a demonomaniac, “who fancied the devil came to him nightly, for the purpose of teaching him boxing;” and of a gentleman, “who fancied himself a bouquet of flowers, and was constantly requesting his friends to approach him, in order to enjoy the perfume.” Here he seems not only to be ignorant of the fact, that particular delusions are suddenly and most unexpectedly convertible into general madness, but to mistake altogether the nature of insanity itself. “Had Glanvil,” he says, “who wrote concerning witches and apparitions, and who believed in their existence, been examined in a court of law on a charge of madness, he would have stood but little chance of escaping confinement in a lunatic asylum.” But how absurd to suppose that insanity consists in a mere error of judgment,—more especially on subjects where the contrary of the affirmation is insusceptible of proof, or that it consists in mere ocular delusions, unless the party himself should actually be persuaded of the reality of those objects which he fancies he beholds. The case of the celebrated Nicolai, as recorded by Mr. Hibbert, is a case directly in point, and proves how completely the mind possesses the power of rectifying the erring senses of the body. The extract which follows, although not new, will always possess interest. It relates to Dr. Willis, in connexion with his attendance on His Majesty George the Third.

“A proof which he displayed of his empire over his patient, excited great amazement, not unmixed with alarm as well as admiration. The king had not undergone the operation of shaving during more than five weeks, nor would submit to have it performed, yet expressed a strong desire to shave himself. Willis gratified him in his wish. ‘Your majesty,’ said he, ‘is desirous to get rid of your beard, you shall have a razor given to you for the purpose.’ He instantly put the instrument into the king’s hand, who went through the process with perfect success, Willis governing him by the eye throughout the whole performance.”—Vol. ii. p. 171.

Upon being asked by Mr. Burke, how he should have acted, had the king exhibited any sudden marks of frenzy,—

“Dr. Willis desired two vivid lights to be placed between the

great orator and himself, and exclaimed, 'There, now, I should look at him thus,' darting, at the same time, such a look at Burke from his appalling eyes, as made him recoil with affright. 'This mode of looking at a maniac,' he observed, 'would cause him to quail more effectually than chains or manacles.'

"During his majesty's illness, Dr. Willis permitted him to walk in the garden. When there, regardless of everything else but his own impulses, the king threw his hat into the air, and hurled a stick he held in his hand to an incredible distance, such was the force that animated him. His majesty then proceeded, with a rapid movement, to the pagoda, which he was desirous to ascend. Being thwarted in that, he became sullen and desperate, threw himself upon the earth, and so great was his strength, and so powerful his resistance, that it was three quarters of an hour before Willis and four assistants could raise him."—Vol. ii. p. 173.

We quite agree with our author, on the propriety of medical men being much on their guard, when legally examined on such topics, not to be entrapped into general definitions of insanity, or, when the collective evidence is strong, to rest their opinion on any one of the proofs separately. Still we are unable to perceive the propriety, or even the humour, of the following examination, although Dr. Haslam (who is the witness examined) is represented as "*an Oracle*" on all questions of lunacy:—

"*Sir Frederic Pollock.*—'Is Miss Baxter of sound mind?' Dr. Haslam. 'I never saw any human being who was of sound mind.' 'That is no answer to my question: is she of sound mind?' 'I presume the Deity is of sound mind, and he alone.' 'Is that your answer, sir?' 'I presume the Deity alone is of sound mind.' 'How many years have you been mad, doctor?' 'About forty.' 'Where did you learn that the Deity was of sound mind?' 'From my own reflections, during the last fourteen years, and from repeated conversations with the best divines in the country.' 'Is Miss Baxter of sound mind?' 'Competently sound.' 'Is she capable of managing herself and her affairs?' 'I do not know what affairs she has to manage.' 'How often have you given evidence before commissioners of lunacy and a jury?' 'I cannot tell, I do not know.' 'Have you any notion?' 'Notion is very much like knowledge.' 'Have you any idea?' 'An idea is a visible perception, and a direct recollection.' 'Have you any belief?' 'I cannot say that I have any belief, for that is a direct recollection.'"—Vol. ii. p. 177.

On literary and poetical doctors, which form the subjects of two lengthy chapters, we have no remark to make, farther than to express our confirmation of the public judgment,—that extra-professional pursuits, when followed as an occupation, are generally a sufficient presumption of the incapacity

of their votaries for the practical duties of their profession. Men cannot serve two masters ;—

“ One science only will one genius fit ;
So vast is art, so narrow human wit :
Not only bounded to peculiar arts,
But oft in those confin'd to single parts.
Like kings, we lose the conquests gained before,
By vain ambition still to make them more.”

Pope's Essay on Criticism.

The same remark, happily, does not apply to religion. Except by some few, and those by no means to be esteemed for their moral virtues, the alliance of religion with philosophy has always been deemed graceful, if not necessary. It is no impeachment of any man's ability, or token of intellectual weakness, or disparagement of practical sagacity, that he is accustomed to regard religion with veneration and respect,—that he yields to its precepts humble submission, and to its revealed truths implicit credence. We do not altogether oppose the prevailing impression, that there may be something in the pursuits of medicine calculated to engender a spirit of scepticism,—“ *ubi tres medici, duo athei*,” according to the old adage. The uniformity of plan evinced in the organization of the entire series of animal life, together with the gradual elaboration of the more perfect forms as we ascend in the series, in which, however, the distinguishing characteristics of man, from those immediately below him on the scale, are not more strongly marked than those which separate many other links of the chain ; the progressive development of intellectual manifestations in the different orders of creation, at different periods of life, and among different races of mankind ;—keeping uniform proportion to the complexity and exaltation of the material organ of the brain ; and then, again, their gradual decline or total obscuration, according as age or accident may have invaded the integrity of the corporeal organism ;—these, and such as these, are the arguments of the materialist ; nor is it to be doubted, that, when viewed apart from other physiological facts, they have a plausible character ; or, when insisted upon with learning, and pushed to their utmost consequences, that their tendency must be to conduct the mind to a material philosophy. At any rate, this is dangerous ground for those to tread who are without experience, no less than for those who, having experience, are yet deficient in that comprehensiveness of mind which can embrace the whole subject at once, so as to deduce a sound conclusion out of the multitudinous materials which so difficult a question involves.

Then, again, in the ordinary routine of business, the physician's familiarity with death, and death's remains, inevitably tends to weaken the force of those impressions which such objects are calculated to inspire. Although he may occasionally witness the triumphant and inextinguishable faith of a dying Christian, growing brighter and brighter as the last closing scene approaches, yet more frequently he witnesses mortality in weakness, degradation, and fear, and is ready to say, with the wise man, "That which befalleth the sons of men, befalleth beasts. Even one thing befalleth them: *as the one dieth, so dieth the other*; yea, they have all one breath; so that a man hath no pre-eminence above a beast." (*Eccle. iii. 19.*) We say it requires a strong and an habitual faith, in the very presence of the dead, with all its loathsome accompaniments (which, however, have ceased to awaken the usual feelings of awe), to realize the glorious hope, that what is sown in weakness, shall be raised in power; that what is sown in dishonour, shall be raised in glory; that what is sown in corruption, shall be raised in incorruption. The physician and the priest, however, stand in this respect in the same position:—the very circumstances which, if unimproved, are calculated to deaden their sensibilities, are also calculated to rouse reflection in well-constituted minds. Certainly the medical profession is not deficient of many bright examples of piety;—the names of Arbuthnot, Boerhaave, Gregory, Harvey, Haller, Heberden, Hey, Hoffman, Stahl, Sydenham, and many others, were as distinguished for their literary and scientific attainments, as they were for their religious simplicity, and the admirable purity of their lives. Without the pale of the profession, we need scarcely add, can scarcely be named any one eminent philosopher, who was not also forward to express his belief in Divine Revelation, and to extol its excellence.

The points which next claim our attention are two chapters, one, on the "Early Struggles of eminent Medical Men," and the other, on the "Art of Rising in Physic." It might be supposed, that where the roads to fame are so numerous, and illustrated by such eminent examples of men who have successfully scaled the steep ascent, there could be no missing the way. The case, however, is not unlike that of an unexplored and impassable country, in which each traveller, hoping to avoid the difficulties which have beset his predecessor, plans out a new route for himself; whereas had the ground been more practicable, or the country better known, there would have been one single highroad only, on which all might have tra-

velled without mistake. The glittering Temple of Fame, situated on inaccessible heights, and casting its splendour afar off, may seem near at hand to those who are inexperienced; but let any one make the ascent, and he will then learn to appreciate

“ ——— what rugged places lie between
Adventurous Virtue's early toils
And her triumphal throne.”

We hear, indeed, a great deal about the struggles of genius under difficulties; but, for our parts, we are persuaded that it is a struggle in all cases. The law, which in the organic world regulates the coexistence of parts in the same individual organism, prevails to a certain extent in regard to the mind. In the great majority of cases, the existence of genius (taking this word to import the highest combination of talents) is found to be accompanied with other qualities which tend to insure its development. Ambition, self-confidence, patient-endurance, and indefatigable industry, are at once the incentives and pioneers which open the way for its expansion; and although we do not deny that it may be suppressed or suffocated, on some occasions, from the force of circumstances, yet these circumstances operate more frequently as the sharpest motives to exertion; whereas the same minds, placed under more favourable auspices, might be extinguished for want of motive. If poverty is a disadvantage in one sense, it is an advantage in another, by furnishing the strongest incentives to exertion. We cannot therefore see the propriety of adducing Dr. Baillie, and Mr. Hunter, as instances of genius struggling under difficulties. It is true these celebrated men were poor, and were slow in attaining any considerable share of business; but surely it cannot be said that they were placed in circumstances unfavourable for the improvement of their native talents. They were both pupils, relatives, and ultimately colleagues, of Dr. William Hunter, and through his means were directed in their studies, and furnished with the best means of completing them. The following extract from Mr. Ottley's *Life of Mr. John Hunter*, is equally applicable to Dr. Baillie:

“ His brother was a scholar, and possessed of gentlemanly manners, and, though comparatively a stranger in London, he was already known as a man of much talent, and as likely to rise to eminence; he was also fond of society, and his house was consequently frequented by many of the first men, not only in his own, but in other professions. It has, therefore, seldom fallen to the lot of young men to enjoy equal opportunities of cultivating their minds

by association with men of talent; and though there can be no question that by far the greater part of his future eminence was owing to the original powers of his mind, yet, in recording the history of his life, it will be proper to trace the means by which those powers were improved, and to show, as far as may be, the assistance he received in bringing them fully into action. It is the more necessary to do this, in order to correct an unfounded opinion which generally prevails, that Hunter should be classed with those untaught geniuses who have risen to the highest honours by their own unaided powers. This was evidently not the case, and the meagreness of his early history seems sufficiently to prove that it was at his brother's table, and in his brother's dissecting-room, that his ambition and his talents were first roused into activity. Without such stimulus his genius might have slumbered, or have taken a wrong direction. Nor does this detract from his real merit. There is, perhaps, nothing that more distinguishes the man of genius, than the manner in which he turns to account the advantages which common minds would let slip without profit. Hunter was a man of extraordinary powers; he was placed in circumstances the best fitted to excite these powers, and give them their full effect, and the result was such as could only have been produced by this fortunate combination of circumstances."—*Hunter's Works, by Palmer*, vol. i. p. 10.

It is to be presumed that great eminence is not to be attained without great toil. Even where fortunate circumstances concur, still it is to be inferred that there has been a great deal of secret labour, which has been concealed from the view. The converse of this, however, is not always true. We do not acquiesce in the sentiment that success in life is the invariable consequence of personal exertion. That men are the architects of their own fortunes may be a salutary maxim to instil into the minds of youth, but it must be received, nevertheless, with many limitations. "Some men," says the poet, "are born great, some achieve greatness, and others have greatness thrust on them." To achieve greatness is unquestionably the most flattering to a man's vanity; and therefore no wonder that physicians and surgeons, basking in the sunshine of prosperity, should advocate this doctrine, and expatiate with complacency on the difficulties which they have overcome. It is not to be supposed, indeed, that men can long maintain a high position in this great metropolis, who are not backed by talent and information;—still, in nine cases out of ten, it is some unforeseen or lucky circumstance which first called them into notice. Like Cromwell and Buonaparte, their minds expand in proportion as the sphere of their operation widens; until at length they attain an elevation which they by no means contemplated at first. Sir Joshua Reynolds was wont to observe that

he did not doubt he should have attained an equal eminency in any other profession than that of a painter; while Dr. Hunter, in the same temper, asserts, "that in our profession it seems incontestible that the man of abilities and diligence always succeeds." This position we altogether doubt; but we do not adopt the other extreme advanced by our author, that "to succeed in the medical profession requires, on the part of the practitioner, in far the majority of cases, a degree of chicanery or trickery, from which men of honourable and gentlemanly feelings naturally recoil." Doubtless time and chance, birth and fortune, dress and address, affable manners, and a turn for business, together with a thousand other inappreciable qualities, conspire in swelling that "tide in the affairs of men, which, taken at the full, leads on to fortune." Various are the means which men resort to, to attract notice. The most approved method is to cultivate connexion, which is easy to attempt, but difficult to accomplish. The next most approved method is to write a book, in which either some new and startling doctrine is broached, or else some novel, and of course successful, mode of treatment proposed. Some affect obscurity, others plainness of speech—some bully, others cajole their patients—some affect to be religious, while others conceive it to be more *distingué* to be reputed atheistical. One is conspicuous for his style both in dress and equipage, while to another a sombre decency seems more appropriate. It pleases some to be grave on every trifling ailment; while others, again, make trifles of those which are most grave. Those, who like not any of these, ring the changes on diet, nerves, or bile, and often gain great credit for their nonsense. There are also lucky chances, which like handsome legacies, or first-chop prizes in the lottery, set a man up for life. The following is one of this sort:—

"A very eminent general practitioner of the present day, relates the following circumstances as connected with his early career. After graduating at the College of Surgeons and Apothecary's Hall, he took a small house in a neighbourhood, where he thought it was likely he should succeed in obtaining a practice. His property amounted to a little furniture, which his mother had left him, a few bottles for his surgery, and a hundred pounds in cash. Having fixed upon a locality, he took possession of his habitation, sat down and waited anxiously for patients. Six months passed away, and not one patient had he seen! He was always at his post—dressed well—and was by no means deficient in his attainments as a scholar and as a medical man. He was advised to change his residence; but he refused to do so, being determined to establish himself where he had

first commenced, or abandon the profession altogether. His money, although he lived very economically, was nearly expended, and he had no other resources whatever. Having some talent for composition, he wrote an article for a newspaper; and was mortified to find, next day, among the notices to correspondents, the following: — ‘*Medicus*; — the communication is unsuited to our pages.’ A friend suggested that he should write a small pamphlet on a disease which was then prevailing epidemically. The pamphlet was written; but alas! after having walked his shoes nearly off his feet, he could not succeed in inducing any bookseller to print it. Many offered to publish the pamphlet at the author’s risk, but he declined this arrangement, and the unfortunate MS. was thrown upon the shelf. The surgeon was recommended to look out for a wife with a little money, as the only way to relieve him from his present situation; but he found this to be impracticable, owing to his not being able to dress like a gentleman, and his tailor hesitated to trust him with more clothes. Distress followed distress in rapid succession, until the poor man was a miserable, heart-wearied, and nearly heart-broken wretch.

“ Having thus been brought nearly to the verge of ruin, he was seated one evening before his surgery fire, cogitating what step to take to relieve himself of his pecuniary difficulties, when he heard the surgery bell ring most violently. To the door he immediately hastened, when he saw a crowd in the street, and two men carrying a gentleman, who appeared to be much injured. Admission was directly given to the parties, when, upon enquiring what had occurred, he ascertained that the patient had been thrown out of a cabriolet, and it was supposed that he was nearly killed. Upon examining the gentleman, it was found that he had received a severe concussion of the brain, in addition to the shoulder joint being dislocated. Having reduced the dislocation, the gentleman was placed in bed, and when reaction had taken place, he was bled. By this time the surgeon ascertained from a policeman, who had emptied the gentleman’s pockets, that he was a man of title, and at that time of eminence as a politician. A dispatch was forwarded to his house at the west end, to acquaint his family of the accident that had occurred. His brother immediately came to seek him, bringing with him a physician of great celebrity. A consultation took place, and as the physician highly approved of all that had been done, and it was not thought advisable to move the patient in his present condition, he was accordingly left under the care of the surgeon into whose house he was first brought. The general practitioner was unremitting in his attention to his distinguished patient, watching him by day and night. In the course of a week the physician suggested the propriety of removing him to his own house, which was accordingly accomplished. The apothecary was desired to continue his visits, which he did until his patient was completely restored to health. As a reward for his service, a cheque for £100 was forwarded to the

apothecary, and he was enrolled as surgeon to the family. So grateful were the friends of the patient, that they succeeded in introducing the general practitioner in many highly respectable families. Once being known, his practice rapidly increased, and he is at the present day one of our first general practitioners."—Vol. i. p. 140.

This casual introduction of the thin edge of the wedge, which is afterwards driven home, is not, we believe, uncommon. It would be the height of folly, nevertheless, to calculate on such chances, especially in the higher walks of the profession: the physician and surgeon should consider, that as the prize is great, so will be their chance of missing it: it is impossible that all should succeed: of those who start for the goal, very few indeed will be found to reach it; of those who acquit themselves respectably and obtain a decent livelihood, there will be a large number; but the great mass will ever be found to fall behind. In that case, if they have private fortune, well; but if not, they will be in danger of wasting their lives in alternate hopes and disappointments, or of deviating into courses inconsistent with manly honour and integrity. Our advice to parents, if their sons are bent on the medical profession, is to give them, if possible, a good college education; not to let them enter the profession very early; to counsel their exclusive attachment to some great hospital during the whole period of their pupilage, and, finally, to persuade them to commence their career as *general practitioners*. If they will follow this course, we do not doubt of their ultimate success. Aiming not at too lofty a mark, they will be in less danger of hazarding their success, while their age and education will be sure to conciliate the esteem of all sensible persons. In the medical profession nothing else is required than good common-sense, united to industry, observation, and moral rectitude of conduct. We do not say that great talents and extensive experience are not essential to take an elevated rank in the profession, but we affirm that the qualities we have mentioned are amply sufficient in all ordinary cases, both for the understanding and treatment of disease; and that, generally speaking, they will meet with their full reward.

It must be confessed, nevertheless, that the profession of medicine is overrun with quackery. Men of naturally shrewd sense, joined to an obtuse set of feelings, will seldom hesitate to season their pretensions with a spice of humbug. The minister of state, down to the vendor of pins and needles, does the same. It is Lord Bacon's observation, that the flight of reputation is too tardy without some of the feathers of ostentation.

It should not therefore surprise us, that men who have tried the regular way and failed, should seek to accelerate their reputation by having recourse to these minor tactics of the profession; or, in other words, that they should practice on the weaknesses of mankind, and become skilful managers of the *chiaro oscuro*. It is not to be inferred that a man is an ignoramus, or that he is necessarily excluded from the pale of the regular profession, because he has recourse to such means. Professional etiquette demands indeed certain observances, which it is essential to comply with; but like the code of worldly honour, it is full of inconsistencies. To debauch his neighbour's wife, or to jockey his friend, does not necessarily exclude from the society of the world, any more than the most unblushing *charlatanerie* of manner excludes from the usual intercourse of the profession. Of these *allowable* modes of quackery, (if we may so speak,) none has been had recourse to more frequently than an affected singularity of address. Lord Erskine says, that "It is in the nature of every thing that is great and useful, both in the animate and in the inanimate world, to be wild and irregular, and we must be contented to take them with such alloys as belong to them, or to live without them altogether." This sentiment may be partially true, but it is equally true that for every genuine Rembrandt which you meet with, you will find at least fifty imitators, who use half lights only to conceal their ignorance. The union of wit, sarcasm and acerbity, conspicuous in the late Dr. Warren, were probably natural traits of his character; just as much so, as the unparalleled waggishness and inimitable ease and freedom of the present Sir Charles Clarke. The late Mr. Abernethy was a spirit of a different sort. He was not the same high-caste gentleman as those we have just mentioned, nor were his eccentricities in the same degree indigenous to his character. In genius he was probably their superior, but his wit was less highly tempered and his peculiarities of too coarse a quality for the atmosphere of the west end. His manner and his whole proceedings were most unquestionably quackish.

"The late Duke of York is reported once to have consulted Mr. Abernethy. During the time his highness was in the room, Mr. Abernethy stood before him with his hands in his breeches pockets, whistling with great coolness. The duke, naturally astonished at his conduct, said, 'I suppose you know who I am?' 'Suppose I do, what of that? If your highness of York wishes to be well, let me tell you you must do as the illustrious Duke of Wellington often

did in his campaigns, *cut off the supplies*, and the enemy will quickly leave the citadel.'"

" 'Pray, Mr. Abernethy, what is the cure for the gout?' was the question of an indolent and luxurious citizen. 'Live upon sixpence a-day, and earn it,' was the reply."

"Mrs. J—— consulted him respecting a nervous disorder, the minutiae of which appeared to be so fantastical, that Mr. Abernethy interrupted their frivolous detail, by holding out his hand for the fee. A one pound note and a shilling were placed into it; upon which he returned the latter to his fair patient, with the angry exclamation, 'There, ma'am, go home and buy a skipping-rope; that is all you want.'"

"A female, who consulted Mr. Abernethy for an ulcer which she had on her arm, was particularly asked, 'What is the matter with you?' The patient immediately held up her arm, but did not answer a word. 'Oh! oh! poultice it, and take five grains of blue pill every night, that's all; come again in a week.' The fee was presented, but refused. At the end of the week the patient presented herself again, when the same pantomime took place, and the fee was again refused. After a few more visits, Mr. Abernethy, on looking at the arm, pronounced it well, when the patient again offered a fee. 'No,' said Abernethy, 'from *you* nothing will I receive, for you are the most sensible woman I ever saw, *you don't talk.*'"—Vol. i. pp. 103-109.

We have quoted these anecdotes, not because they are good in themselves, or the best which we have heard of this singular individual, but simply because they lay before us in the volume which is open. Mr. Abernethy's singularity of manner and peculiar modes of illustrating and enforcing his advice, had their effect upon pupils as well as patients. Quaint anecdotes, apposite examples and familiar similitudes, were a sort of mordant to the dye, rendering it fixed and ineffaceable. Speaking, for example, of the effect of bleeding, in removing temporary fits of derangement, the following was his method:—

"A gentleman of fortune, residing in Portland Place, fell in love with the late Princess Charlotte of Wales; and so earnest was he to obtain her in marriage, that he became insane. His family and friends became alarmed for his personal safety; and fearful lest he should commit suicide, placed him under the care of a physician, who directed, without loss of time, that he should be freely blooded. To this, after repeated attempts, he refused to accede; however, a pupil of one of the physicians hearing of the circumstance, hit upon an expedient, and engaged to bleed the patient. The plan was contrived, and the patient was introduced to the young gentleman, who stated that he was the bearer of a message from the princess, and

requested to see Mr. — in private. No sooner was this information received, than the pupil was shown into the drawing-room. The door was cautiously shut, and the patient with great earnestness requested the stranger to divulge, without loss of time, what message he had to communicate from the princess. 'Why, you must know, sir,' said he, 'that we must be particularly cautious. I am deputed by the Princess Charlotte to inform you, that she would give you her hand in marriage, but she is prohibited from so doing in consequence of the king, her father, having been informed that you possess white blood in your veins instead of red.' 'Good God!' exclaimed the patient, 'if that be the case, pray let me be bled instantly, that her Royal Highness may be convinced to the contrary.' And, egad! the pupil did bleed him, until he nearly laid him prostrate on the floor; and in a few days the patient had recovered, and his delusion had of course left him."—Vol. i. p. 118.

The question, then, returns, what effect had such eccentricities on the fortunes of Abernethy? Why, that his character as a man, must in the judgment of a sound criticism, be considered as diminished by them, while at the same time, his fame, as a medical man, was unquestionably augmented. General excellence may not only dignify for a time occasional blemishes, but be rendered more striking from the contrast. On the contrary, where the whole is perfect, the parts do not strike us, just as the grandeur of surrounding nature diminishes our surprise at the sight of the Alps or Appenines.

Madame de Sevigné has defined quackery to be "*pompeux galamatias, spécieux babil, des mots pour des raisons, et des promesses pour des effets.*" If this definition be correct, it will be found to include a very large proportion of the regular profession, who by pretences to larger experience, greater knowledge, and more extensive business, than is the fact, do certainly come within its meaning. It also includes all ultra and exclusive systems of practice, of what kind soever they may be. Nevertheless, the more overt and shameless instances of quackery are neither tolerated nor practised by the regular profession. Of this kind, are secret and universal remedies, unqualified promises of cure, lying attestations, and an unlimited recourse to puffing. The persons who drive this lucrative trade are generally individuals who have failed in life and reputation; men of boundless impudence, who unite considerable shrewdness of character to unscrupulous morals. Dr. Ticknor, for instance, tells us of a man of business, who being reduced from competence to poverty, was advised to become a doctor. He obtained a prescription for some active pills, and with these as his stock-in-trade, having obtained the ne-

cessary attestations of their good effects, he succeeded in six years in amassing a sum of half a million of dollars. A similar case is mentioned by Dr. Cowan.

“ Salmon, the tobacconist, the accredited agent of Morison, and who was convicted of manslaughter for having dosed to death Captain Mackenzie with universal medicine, split from his employer upon the ground of the badness of the pills, which he states were slovenly prepared, very carelessly mixed, and consequently of very unequal strength, &c. &c. He then unites himself to Messrs. Bygrave and Hall, the former Mr. Morison's footman, the latter a carpenter accidentally employed in the premises of the great pillmaker ; and forming a coalition in the most patriotic manner, offer to supply the public with the only genuine Morison's pills ! Pills, more truly Morisonian than Morison's own ! These pills are, of course, to cure every disease, and to be suited for every age, sex, and constitution : even ‘ the babe of a day old may take them with perfect safety. ’ ” — *Cowan*, p. 21.

These sovereign specifics are of universal efficacy, and are named accordingly, “ Elixirs of long Life ” — “ Purifiers of the Blood ” — “ Digestive Pills ” — “ Panaceas for Gout ” — “ Infallibles for Chest Affections, ” &c. &c. Thousands are occasionally risked in the advertisement of these nostrums, while the question of supply has been reduced to a matter of arithmetical calculation : “ A peck of pills per day is considered necessary for Boston, and half a bushel for New York, and on an average, only one in twenty-five who take them is actually sick. ” The ground of their success is to be found in a secret belief, very generally entertained, that in the infinite resources of nature and art there must be many secrets of value ; and from the same belief no doubt it is, that among all ranks and classes, more confidence is often placed in the efficacy of drugs than in the advice of the physician. As to the attestations of patients, in nine cases out of ten, they are pure fabrications : the rest are self-deceivers, who having blindly adopted an opinion, are vehement in the same proportion in propagating it. It has been justly observed that,

“ The proof of the value of a medicine does not rest upon the delusive testimony or oaths of even respectable and disinterested men, a species of proof which is scoffed at by all who comprehend the subject, as it is found that the attestations are strongest, and the affidavits most numerous, in favour of a medical fact, just in the proportion as the fact is doubtful or false ; and that the number of specifics, and the evidence in favour of them, multiply exactly in proportion to the incurableness of the disease. To illustrate this, take common inflammation ; to lessen this affection, there are a few well-known remedies : while for scrofulous inflammation, which is

much less tractable, the number of boasted remedies is far greater ; but for gouty and cancerous inflammation, the infallible specifics are innumerable. Time alone establishes truth in medicine. A real discovery needs not the aid of oaths, nor the zealous testimonies of the grateful."

It would appear that the diffusion of general and professional information has considerably diminished the extent of quackery in this country. In France, at the present moment, it is represented as luxuriant ; and in America, rampant. In every large population there will always be numbers of rich as well as poor to support and patronize our St. John Longs, our Morisons, our Lynches, and our Eadys. In the first place, there are those, who having long suffered from incurable maladies, without the promise or even hope of cure, under the regular practitioner, cheerfully betake themselves to those who hold out more cheering prospects—who promise stoutly, and boast infallibility of success ; in the second place, must be ranked those who are in straightened circumstances, with defective educations ; who are charmed with the cheapness as well as efficacy of secret remedies ; and lastly, there are certain eccentrics, common to all classes, who, though they may possess good sense on other subjects, and fortune to command the best advice in the profession, yet fall into the toils of the charlatan, and are taken : and of these it must be said, "*si populus vult decipi, decipiatur.*" "The desire of health and ease," says Mr. Pott, "like that of money, seems to put all understandings on a level. The avaricious are duped by every bubble, the lame and unhealthy by every quack : each party resigns his understanding, swallows greedily, and, for a time, believes implicitly, *the most groundless, ill-founded, and delusory promises.*" That many of the most popular quack nostrums are innocent, and even useful (provided the proper cases could be selected for their administration), we do not at all doubt ; but it is the policy of the empiric to produce striking effects, and consequently his medicines are generally compounded with this view ; the drugs which he selects are potent, often pernicious, and not unfrequently poisonous ; and accordingly many are the sad and fatal effects produced by their means. The greatest of these evils is, that they inspire a false confidence, which prevents the patient from having recourse to better remedies, until the time, when they might have been useful, has gone by. On the other hand, if they prove of any real service, the benefit is, in most cases, to be ascribed to chance, to imagination (the Quack's best friend), or else to

delay, or the *vis medicatrix nature*;—the art of physic having been wittily described as “the art of amusing the patient, while nature performs the cure.” As the profits to the revenue from patent medicines is said not to exceed 50,000*l.* per annum, and as the affix of a stamp is invariably regarded by the vulgar as an indirect approval of the medicine, the continuance of this duty is unquestionably wrong. Dr. Cowan, who advises this, is strenuous also for more direct methods for the extirpation of quackery, and this upon a double ground,—first, that the regularly bred man is entitled to protection;—an argument, *ad misericordiam*, which is scarcely admissible; and, secondly, that “it is the imperative duty of government to take care that the public health shall not suffer.” Nor is Dr. Ticknor a whit less indignant on the same subject, when he asserts that “the sovereign people, the makers of the laws, owe it to themselves and to their safety, to provide enactments, making it penal for such men thus to sacrifice life.” But, while we doubt the possibility of legislative interference reaching the evil in question, we have no hesitation in declaring that it would place restrictions on private liberty incompatible with the usages of this country. As an example of the ingenious art of puffing, we shall extract Dr. Turnbull’s character, as set forth by the author of *Physic and Physicians*, among the “eminent living physicians.”

“Dr. Alexander Turnbull is a physician who has contributed much to the alleviation of human suffering. Possessing an enquiring and reflecting mind, he directed his chief attention to the relief of those painful nervous affections, which so often baffle the skill of the most eminent in the profession, and which diseases may be said to constitute, to a certain extent, the *opprobria* of our art. In 1834, Dr. Turnbull discovered the extraordinary efficacy of *Veratria*. Dr. Turnbull considers this drug to exercise an *electro-stimulating* [!!!] influence, when externally applied, or administered internally; and that this effect must be fully induced, before its sanative influence can be expected to be developed [here follows the author’s publication, *third edition*! &c.] Dr. Turnbull has directed much of his attention to diseases of the ear; and has succeeded in discovering some remedies which appear to act *instantaneously* on that organ, by removing *all* impediments to the healthy exercise of its functions. We have been particular in investigating some extraordinary cases of deafness which have been treated successfully by this physician, because, when related, they appear almost incredible; and we feel much pleasure in testifying to Dr. Turnbull’s fairness, absence of all mystery, and willingness to permit every circumstance connected with the patient under his care, to be thoroughly sifted. At present it is not known what the remedies are which Dr. Turnbull has dis-

covered, and which have such extraordinary efficacy. Hitherto (and we speak from personal observation) the result has exceeded his most sanguine expectations. The most apparently obstinate cases of deafness, appear to be incapable of resisting the potency of the application which is used; and what, at first sight, astonishes us the most is, that the effect is instantaneous.

“But the most extraordinary cures which this physician has been enabled to effect, we have yet to mention,—we have, in the presence of many distinguished individuals, had the gratification of witnessing the process which the doctor has recourse to (in curing the deaf and dumb), and we can vouch for the triumphant success which attends his noble efforts to relieve the sufferings of his fellow-creatures. We have seen no less than two hundred patients at Dr. Turnbull’s house, in Russell Square, in one morning. Dr. Turnbull’s manners are extremely gentlemanly and engaging. His knowledge is by no means confined to his profession; his mind appears to be generally well-informed on all subjects. We do not hesitate in affirming, that if merit has its just reward, this physician will, one day, hold a proud rank among the medical philosophers of the day.”

It may shrewdly be suspected that this glowing *eulogium*, like the postscript of a lady’s letter, contains the whole motive of the publication. Mr. Robins, the *magnus Apollo* in this line, as he has hitherto been considered, must for the future veil his glory, and acknowledge a superior in the art. It probably did not occur to our author to reconcile such discrepancies as the “absence of all mystery,” with the professed secrecy of the remedy; the desire to have “every circumstance thoroughly sifted,” with the total silence of our author on any one part of the treatment, notwithstanding his careful investigation of the subject; or the instantaneity of the cures, with the assertion that the “effect (of *electro-stimulation*) must be fully induced, before the sanative influence can be expected to be developed.” We merely suggest these hints, because (to adopt our author’s language) “opposed, as we most decidedly are, to all secret remedies, we naturally feel anxious that Dr. Turnbull, and, we may add, the author himself, should, like Cæsar’s wife, place themselves beyond all suspicion.”

The profession of physic is mainly recruited from the families of petty tradesmen and druggists, who, as soon as they have accumulated a few hundreds, are immediately stimulated by an ambition to elevate their descendants to the rank of gentlemen. “In one large school in the metropolis, numbering some hundreds of pupils, the principal told us, that one hundred and fifty were the sons of tradesmen.” The profes-

sion consequently is overstocked, and the majority are living from hand to mouth. This redundancy is proved, as well as provided for, in various ways. The following advertisement, for instance, exhibits, in language not to be mistaken, "the very age and body of the time, its form and pressure."

"To Invalids and Gentlemen.—Wanted, by a young man, a member of the medical profession, a situation, to attend upon or travel with invalids or gentlemen. *Would* have no objection to perform the duties of a valet. Can give the most satisfactory reference as to character, ability, &c."—*Times*, May 27, 1839.

If our readers should be inclined to regard this as an extreme case, let them but consider the necessities of the profession, as evinced by the late tenders for the charge of the poor, made and required under the new Poor-law Act. We do not dispute the propriety of the chief provisions of this salutary act, which are, in our opinion, wise and wholesome, and calculated, if not to produce a great moral change among the poor, at least to check that accelerating rate of descent into profligacy and vice, which was conspicuous under the old system. What we dispute and object to is, that the executive of this measure should have shown so unwise and debasing a parsimony in regard to medical attendance. What, for instance, will be thought of thirty pounds per annum as the stipend for the medical charge of from 5,000 to 10,000 poor, ranging over a country of from five to fifteen miles in diameter! of two-pence, nay, a penny a head per annum, drugs included! Why, in comparison with such grinding slavery as this, our medical valet has good reason to consider himself in clover. The allowance to the Surgeon for every common soldier, during his passage to India, is 10s. per head; and for every common plantation slave in the West Indies, half that sum; and yet prodigality is not the fault of either the East or West India bodies. The truth is, the Poor-law executive have economized on the necessities of the profession, and the profession have been necessitated to submit.

If further proof were required of this medical glut, it might be found in the eagerness with which every vacant post, however profitless, is contended for; in the difficulty of obtaining posts in the Queen's or East India Company's services; and in the extent of medical emigration. The author of *Physic and Physicians* has devoted chapters to each of these subjects. In regard to emigration, he says, "Having been much abroad, we can speak on some points from personal observation, and our other information may be strictly relied on;" but we cau-

tion our readers against relying on the observations of so poor an observer. The swamps of New Orleans, the mines of South America, the cities of New York, Boston, and Philadelphia, the towns of Columbia, and the back settlements of the United States,—all belonging to foreign states, and all equally ineligible,—are those which are chiefly dwelt upon and recommended. The Canadas, Nova Scotia, Newfoundland, and other *British* settlements, are not even once alluded to. “In New South Wales,” he says, “the medical profession is in a flourishing state;” whereas, the fact is precisely the reverse, as is proved by most of those who go out as medical men, turning farmers as soon almost as they arrive. In regard to the army and navy, he shows as little judgment in his remarks; for though the pay may be small and the promotion slow, yet it is to be considered that numbers of idle or dull-pated young men, unfit for civil practice, enter these services, and are adequately and amply remunerated; while many of those, who have more ability, retire, after a few years’ service, having passed the interregnum of their lives at the public expense. They have then a small income, and have had the opportunity of laying the foundation of a connexion.

The *Curiosities of Medical Experience*, by Dr. Millingen, are sketched on the same model as the *Curiosities of Literature*, by Mr. D’Israeli, but with infinitely less talent. We are no admirers of compilations of this sort, whether of *bons mots*, anecdotes, proverbs, or, as in the present instance, of the monstrosities of art and nature. We do not deny that the present volume contains many interesting facts; but the selection is not happy, and the effect is much impaired by a useless display of erudition. The following is a favourable specimen of the work. He is speaking of the effect of the imagination in curing diseases.

“Nothing could be more absurd than the notions regarding some of these supposed cures: a ring, made of the hinge of a coffin, had the power of relieving cramps; which were also mitigated by having a rusty old sword hung up by the bed-side. Nails, driven in an oak tree, prevented the tooth-ache. A halter, that had served in hanging a criminal, was an infallible remedy for a head-ache, when tied round the head: this affection was equally cured by the moss growing on a human skull, dried and pulverized, and taken as a cephalic snuff. A dead man’s hand could dispel tumours of the glands, by stroking the parts nine times; but the hand of a man who had been cut down from the gallows, was most efficacious. The chips of a gallows, on which several persons had been hanged, when worn in a bag round the neck, would cure the ague. A stone, with a hole in

it, suspended at the head of the bed, would effectually stop the night-mare; hence, it was called a *hag-stone*, as it prevents the troublesome witches from sitting upon the sleeper's stomach. Ricketty children were cured by being drawn through a cleft tree, which was afterwards bound up; and, as the split wood united, the child acquired strength.

"Mystery, in the dark ages,—and, alas! even now,—increases the confidence in remedial means; reveal their true nature, and the charm is dissolved: '*Minus credunt quæ ad suam salutem pertinent, si intelligunt*,' said Pliny. One cannot but wonder, when we behold men pre-eminent in deep learning, and acute observation, becoming converts to such superstitious practices. Lord Bacon believed in spells and amulets; and Sir Theodore Mayence, who was physician to three English sovereigns, and supposed to have been Shakspeare's Dr. Caius, believed in supernatural agency, and frequently prescribed the most disgusting and absurd medicines, such as the heart of a mule ripped up alive, a portion of the lungs of a man who had died a violent death, or the hand of a thief, who had been gibbeted on some particular day."

Dr. Millingen, like most people who are fond of the marvelous, is chargeable with the opposite faults of credulity and scepticism. He gravely tells us that the stories of spontaneous combustion have been "authenticated beyond the slightest doubt;" that "the faculty (of the somnambulist) of seeing through the closed eyelids, was fully substantiated in the presence of a commission;" that "the migratory faculty of birds and other animals, is due to a highly-exalted state of the olfactory sense, operating at a distance of many thousand miles;" that "the singular sympathies that forewarn a future union between the sexes, have, in some instances, been most surprising;" that "there can be no doubt that lunation, especially in warm climates, influences diseases;" that, in regard to homœopathic doses, "experience has afforded abundant proofs—sufficient to convince the most incredulous—that infinite atoms do produce positive and evident effects," and, lastly, that a hog, weighing 160 pounds, that was buried under thirty feet of the chalk of Dover Cliff, was dug out alive, at the end of 160 days! On the other hand, he not unfrequently displays a bold, not to say audacious, spirit of scepticism, the effect of which is to invalidate, by implication, the inspiration of Holy Scripture, by attempting to explain, on natural principles, the immediate interpositions of heaven. The heavenly visions, for example, of Daniel, Peter, and Moses, are classed with other effects of fasting on the imagination;—the purification of Naaman's leprosy, is ascribed to the natural efficacy of the

waters of Jordan; and, in speaking of the varieties of the human species, and their probable unity of origin, he expresses himself in the following manner: "Are all these various tribes, brethren descended from one stock? or must we trace them to more than one? The physiologists, who have ventured to express the latter opinion, have been stigmatized, by intolerance and blind bigotry, as atheists and unbelievers; yet this question belongs to the domain of the naturalist, and the philosopher has an unqualified right to moot it, without incurring the heinous charge of infidelity;" in justification of which sentiment, he quotes the authority of Lawrence, by citing a passage, in which it is asserted "that the entire, or even the partial inspiration of the various writings comprehended in the Old Testament, has been and is doubted by many persons, including learned divines and distinguished oriental and biblical scholars," and that the collection of animals, both before Adam and in the ark at the time of the Flood, "is zoologically impossible." It is unnecessary to say, that doctrines such as these go at once to subvert the whole fabric of revelation.

Having trespassed so long on our readers, we have little space for noticing Dr. Holland's volume, which consists of a selection of notices and reflections, made in the course of a long and active practice, by a distinguished member of the profession. It is written in imitation of Heberden's *Commentaries*, but it has neither the terseness nor the elegance of that able work, nor has it the same practical character. The author has touched on a variety of difficult topics, upon which he has made some sensible observations; but, in general, he has left them where he found them, and has not added to our stock of knowledge. To a medical man his reasoning is too desultory to be satisfactory, and to the public, it is too abstruse and professional to be understood. His style too, though to a certain extent elegant, distinctive and classical, is deficient in clearness and ease, and very often is affected. We shall gratify our readers by a few extracts on some of the most popular topics. In speaking of purgative medicines and the general belief in their efficacy, he says,—

"We cannot wonder that fraudulent advantage should be taken by empirics of a feeling thus general, and so far sanctioned by the habits of more regular practice. And the mischiefs hence arising are, in fact, notoriously great. One form of purgative drugs succeeds another in noxious fashion; a fictitious need is created; and the functions of nature are injuriously supplanted, even under reputed health, under the compounds of quackery and fraud. This

evil can be lessened only by a reasonable employment of these medicines among the profession at large : and hence, a further motive for weighing well what is really their use, and what their abuse, in our practice.

“ One of the greatest abuses, undoubtedly, is the system of giving daily purgatives, and insisting upon daily evacuation ; making this the habitual management in health and treatment in disease ; under both conditions, it is a notion fertile in mischief. Looking first to that of health :—it is certain that the natural constitutions of different persons are very various as to this point ; and, that to seek by medical means for any thing like a common rule, is in most cases an absurd and injurious interference with the natural functions. The practice of habitual purgatives unhappily prevails most in the cases, where default of natural action arises from torpor of the intestinal canal. Yet these cases, so frequent among the higher classes of society, ought especially to be exempt from the irritation of strong and frequent medicine. Dyspeptic symptoms, with increased torpor, are the more immediate effects ; and disease frequently comes on as the sequel and consequence of a long continued habit.”

Speaking of old age, and of the apathetic vegetative torpor which sometimes possesses the mental and bodily faculties at that period, he observes,—

“ It is well worthy of note to how small a space of time active life is often reduced, either from old age or disease, before its utter extinction ; and how long in fact it may continue, thus narrowed and girt in on every side, with little excitement, and at small expenditure of those powers upon which it depends. The vital organs tardily carry forward the processes essential to existence ; respiration may be limited to a small fraction of the lungs ; the blood, feebly projected by the heart, moves languidly through vessels obstructed in all their minute branches ; and the mental faculties, so far as they can be estimated, appear under the condition of a vague dream ;—an analogy capable of being extended in many ways, and of great and peculiar interest to our views of the nature of mind.

“ The first practical conclusion which the prudent physician will draw from his knowledge here, is, in some sort, a negative one ; viz. not to interfere,—or, if at all, with care and limitation,—in those cases where changes, irretrievable in their nature, have occurred in any organ or function of the body. To urge medical treatment, in face of distinct proof to this effect, is to sacrifice at once the good faith and usefulness of the profession. It is often an exceedingly nice question of conscience, as well as of opinion, to define the extent to which practice may rightly proceed in such instances.”

We shall close our notice of this volume, and with it our article, with one further quotation, on the subject of prescriptions, the simplification of which is recommended on various grounds.

“ Even in the simpler combinations, we can rarely obtain that precise estimate of effects, which is so essential to the success and certainty of practice ;—still less can we do so in those of complicated kind. Each new ingredient added to a medicine, encreases in a higher ratio the chances of error, and obscures the evidence by which such error may be detected and removed.”

ART. III. —1. *Matenacranthiunk Nachneaz.*—*Works of Ancient Armenian Writers.* Edited by the Mechitarist Congregation of St. Lazarus. Venice.

2. *History of Armenia.* By Father Michael Chamich. Translated by John Audley, Esq., M.A.S. of Bengal. 2 vols. Calcutta : 1827.

3. *Quadro della Storia Letteraria di Armenia.* Estesa da Mons. Placido Sukias Somal, Arcivescovo di Sunia, ed Abate Generale della Congregazione Mechitarista di San Lazaro. Venezia : 1829.

IT has long been a favourite practice to accuse the Catholic Church, and especially its supreme rulers, that so far from drawing forth the monuments and writings of Christian antiquity from the darkness in which they often lay concealed, they sought nothing more zealously than to prevent men from acquiring a knowledge of them. With the fullest force of conviction, have Catholic writers thrown back this unjust and foul calumny, and unveiled before the eyes of the unprejudiced the falsity and the wickedness of such an imputation. They have shown that it was the Catholic Church, and the Roman pontiffs in particular, who in times of almost universal barbarism, preserved, with vestal care, the sacred fire of learning; and who, at the revival of the sciences, awakened the minds of men from their lethargy, and directed them to pay their homage to wisdom, and thereby to regenerate the world. It is not necessary to explore antiquity for proofs of our assertion : each day presents us with documents more than sufficient. From the almost boundless regions of literature, we will select only one,—a small, but almost unknown province. We will endeavour to show the merit which the bishops of Rome have acquired for themselves in the literature and language of Armenia; and whilst we place this in a true light, we shall by this one example prove how little the Catholic Church has cause to fear from the publication of ancient Christian writers,—that it has no cause to throw impe-

diments in the path of literature,—and that those who are the authors, not those who are the objects, of this calumny, have everything to fear from this exposition.

The attention that has been paid by the Popes to the affairs of the east, and particularly to those of Armenia, since the latter part of the eleventh century, is well known: to their influence, and to the increased communication with the west, we must ascribe the improved literary condition of the Armenians in the twelfth century. Even in later ages, the Roman pontiffs have not turned away their eyes from Armenia; and if we find that their exertions have not been crowned with the desired results, the cause has been in the oppressed and persecuted state of that nation; to deliver it from which was the earnest desire of its Roman benefactors. Fruitless as its attempts may have been, Rome tired not; nor did it consider any means too laborious, or too expensive, which it thought might conduce to its design of forming a closer connexion between the west and Armenia, and of implanting in the latter the learning of Europe.

But we can better illustrate this matter by a reference to historical facts: we will arrange together, briefly, in chronological order, the most remarkable events that we can collect; whereby, however, we shall be compelled, by the poverty of our means, to confess that many events, and those, perhaps, among the most important, are still unknown to us.

We are told by Somal,* that Pius IV, being moved by a more than ordinary interest for the welfare of the Armenian nation,† caused the Armenian characters to be cut by a German artist; that Abgar, the ambassador of the Patriarch Michael, printed from them, in the year 1565, the Book of the Psalms, ornamented with wood-engravings; and that this was the first book printed in the Armenian language. Gregory XIII, seeing the cruel tyranny which oppressed the Christians of Armenia, endeavoured to afford them assistance. This he could not effect by a contest with their enemies: he therefore proposed to erect, at the expense of the court of Rome, an university in Armenia: on this subject he published a bull,‡ in which he highly praises the faith and constancy of the Armenians. Gregory, however, did not live to accomplish

* Somal, *Storia Letteraria*, p. 147. “Abgaro fece fondere dagli artisti di Roma i caratteri Armeni sulle forme ch’egli per ordine del Papa avea fatte incidere. Di là venne a Venezia, e per la prima volta, nel 1565, fece stampare il libro dei Salmi adornandolo eziandio di figure.

† Audall, *History of Armenia*, vol. ii. p. 336.

‡ Bullar. Rom. Romæ, edit. 1747, tom. iv. p. 78.

his benevolent designs: he died six months after the publication of the bull.* During the reign of this Pope, an Armenian printing-office was established at Rome,† the first after that at Venice; and there, under the protection of the Apostolic See, the Armenian literature was cultivated, whilst it was despised by the prejudiced scholars of the rest of Europe.‡

But in the seventeenth century, Armenian literature and instruction in general, flourished more vigorously than in any preceding age. Public colleges, which contributed greatly to the restoration of learning, were opened in every part of the nation. But what more than all effected the restoration of a better taste for Armenian literature in its native land, and promoted the study of the Armenian language in other countries, was the establishment of the college *De Propaganda Fide*, at Rome, by pope Urban VIII.§ The benefits which were thus conferred upon Armenia were gratefully received and publicly acknowledged in a letter to Urban,|| from the patriarch Moses III, (1629-1633), who diligently imitated the example that had been given by the pontiff.¶ From the college of the Propaganda there went forth a body of men, who, by their literary labours, have deserved well, both in the east and in the west; while the press of the Propaganda was occupied in giving to the world, works which were intended partly for the instruction of the people of Armenia, and partly to introduce to the knowledge of the Europeans, the people, the language, and the literature, of Armenia.

Another circumstance, which tended most powerfully to propagate the cultivation of the Armenian language and literature, was the institution of the Mechitarist congregation by Clement XI, in 1712.** The press of this congregation has exerted itself with such activity, as to render unnecessary the labours of the Armenian press at Rome; and in this congregation we have a refutation of the declaration that the language

* Audall, p. 337.

† In the year 1584. See Somal, St. Let. p. 145.

‡ See Pfeiferi, Critica Sacra in Opp. Omn. 781.

§ "Più assai avventuroso dei tre secoli che lo precedettero, spunto finalmente il decimo settimo, nel quale a far rifiorire alquanto la nostra letteratura contribuì non poco la fondazione di parecchi pubblici collegj all'istruzione destinati della gioventù Armena. Il più illustre però egli è quello che nel 1623, sotto il pontificata di Urbano VIII, fù eretto in Roma sotto il nome di *Propaganda Fide*." Storia Lett. p. 150.

|| Somal. p. 153.

¶ Ibid.

** See "Trattato sull'ultimo risorgimento dell'Armena Letteratura," in Somal, Storia Lett. p. 177. seqq.; also the valuable little work, "Le Couvent de St. Lazare à Venise," par Eugène Borè.

and learning of Armenia has been but little encouraged and promoted by the See of Rome. As a proof of the contrary, we have a document of recent date, which we will mention the more willingly, as it shows how great an interest our present pontiff, Gregory XVI, takes in the progress of Armenian literature. The celebrated Father John Aucher, so well known in the learned world, in the preface of his edition and translation of the works of Severian of Gabala, dedicated to the then Cardinal Mauro Capellari (now Gregory XVI), testifies that the encouragement given to him by the cardinal, and the exhortations of the pontiff, Leo XII, had been his chief incitements to the commencement and prosecution of his literary labours; and that his holiness Leo XII had addressed a special brief to the congregation of the Mechitarists, in which he highly extolled their exertions, which had proved so advantageous to learning and to religion.* The works which the industry of the congregation have already published, demonstrate with how great reason these two princes of the Church declared themselves the patrons and promoters of Armenian literature. In these works, not only have we discovered a treasure before unknown, of historical and archeological learning, respecting the country and people of Armenia, and of the East in general; we find in them, moreover, new witnesses of the faith of Christian antiquity, which almost on every subject, bear incontrovertible testimony to the faith and doctrines of the Catholic Church. We would willingly delay long amongst these works; and we think that the examination would not be without interest and profit: but, to confine our inspection within due limits, we will select only a few points; such, however, as by their importance and by their connexion with the controversies which divide these countries, merit our time and attention. However small may be the authority which Protestants may be disposed to grant to these writers as theologians, they must admit them, at least, as historical testimonies of the faith which was professed in the different ages in which they flourished. Our readers will, therefore, permit us to adduce some passages which will prove that the Armenian Church admitted, in the most remote ages of Christianity no less than in modern times, a true, real, and substantial presence of Christ in the holy Eucharist, and that the Eucharist was not only a sacrament, but also a sacrifice. We will

* *Saberiani Gabalorum Episcopi Homiliæ ex Antiqua Versione Armenica in Latinum Sermonem translatae, per J. Baptist. Aucher, Vic. Gen. Congreg. Mechitar. Venetiis, 1827. p. 9.*

give these extracts without any commentary, as their clearness seems to exclude the necessity of any. We will begin with James of Nisibis, the uncle of St. Gregory,* the apostle of Armenia, a prelate celebrated for his piety and learning, and who was greatly extolled by the fathers of the council of Nice, and by the emperor Constantine.† In one of his homilies he thus writes: “There is one entrance to thy house, which is itself the temple of God. It is not permitted to thee, neither does it become thee, that thou shouldst admit through the door by which thy king passes, filth or other impurities. Thou must guard thyself, O man, from every defilement, and *then receive the body and blood of Christ*. Guard the mouth into which the king has entered, for it is not allowed to thee to utter by that mouth words of iniquity.”‡

In another discourse he says:—

“After Judas was gone from them, Our Saviour took bread, blessed, and gave to his disciples, saying to them, ‘This is my body, take ye and eat ye all of it.’ And in the same manner he blessed the wine, and said to them, ‘This is my blood, the new testament, which is shed for many for the remission of sins: by this shall ye make commemoration of me, when ye shall be assembled.’ Before he was taken, Our Lord did this, and he arose and went from the place, where he had given *his body to be eaten, and his blood to be drunk*, and he went to the place where they apprehended him. Now, after his body was eaten, and blood drunk, he was counted with the dead, for with his own hands Our Lord gave his body as food, and his blood as drink, before he was crucified.”§

And in the same paragraph he writes—“The eleven disciples eat and drank the body and blood of Our Saviour.”

And again—

“The *sacrifice* that is offered in the Church of God is not roasted on the fire, nor is it boiled, yet nothing raw is offered upon the altar (Exod. xii. 9); and he said, ‘Thus shall you eat it, with your loins girded, and with sandals on your feet, and with staves in your hands.’ Great are these mysteries, for he who eateth Christ, the true Lamb, girds his loins with faith: he puts on his feet the armour of the Gospel, and has in his hand the sword of the Spirit, which is the Word of God.”||

Passing over many other testimonies of the holy James of

* Zenob. Syri (Sæc. iv.) Hist. Taron. edit. Venet. 1832. p. 22. Faustus Byzantinus (Sæc. iv.) Hist. Arm. Edit. Venet. 1832. lib. iii. cap. 10. p. 22.

† Cardinal Antonelli. Præfat. in edit. Rom. Opp. S. Jacobi Nisib. 1756; and Galland Prolog. ad tom. v. Bibliot. cap. i.

‡ Serm. iii. de Jejuniis, n. 2.

§ Serm. xiv. de Paschate, n. 4.

|| Ibid. n. 6.

Nisibis, who frequently calls the Eucharist *the body and blood of Jesus Christ*,* and *the mystery of life*, as also the ordinance contained in the canon† ascribed to the blessed Gregorius Illuminator, in which it is prescribed that “*the Sacrifice* shall be offered in holy places, or wherever the relics of martyrs may be found,” we will turn to Faustus Byzantinus, and extract from his writings some powerfully striking and unequivocal testimonies. The questions regarding the birth-place of this author, the language in which he wrote, or the integrity of his history, are questions which do not, as is evident, affect our present object.‡ What is contained in that history is now the subject of our consideration. We will first transcribe his account of the patriarch Verthanes, the son of the holy Gregory, and who ascended the patriarchal throne in the year 339 :—

“ Verthanes came to the chief, to the mother Church of Armenia, which was in the country of Taron, and there he celebrated, according to the everlasting custom, the eucharistic offering of our redemption on the cross, the communion of the memorial of the passion, the vivifying and redeeming body and blood of the Son of God, our Lord Jesus Christ. For in this manner are the patriarchs of Armenia, with the kings, the chiefs, the nobles, and the multitude of the people, accustomed to honour those places, which before have been places of idols, and have since been sanctified in the name of God, and have become houses of prayer and places of devotion: they are accustomed to assemble, particularly in the principal church, dedicated to the memory of the saints, who had been there themselves to perform their devotions seven times in the year. They were wont to assemble also in the chapel of the great prophet John; also in the chapels of the apostles of Our Lord, and in the chapels of the martyrs. Here, having met together to commemorate the pious course of their lives and their good works, they celebrated the festival with great joy. It was now just the time, when the great patriarch went there almost alone, having only a small company with him, to offer up the sacrifice of praise, and he gave orders that there should be

* Serm. iv. de Orat. n. 9.; Serm. xiv. de Paschate, n. 6.

† This is not the place to inquire into the genuineness of these canons. Somal thus writes: “Intorno all’ autenticità di questi, si disputa fra i critici Armeni non meno che fra quelli dell’ occidente, ove trattano sulla origine de’ così detti canoni apostolici.”—*Storia Lett.* p. 10. These canons certainly belong to the earliest ages, for we find them renewed by succeeding patriarchs.

‡ The Mechitarists have endeavoured to answer these questions in the preface to their edition of the History of Faustus. They state that he was of the family of the Sahashunians, but born at Byzantium. The style of his history has no appearance of a translation. Why he begins with the Third Book is easily explained,—he considered his History as a continuation of the work of Agathangelos.

made every year a *memento* of those who had died for their religion and country in the war against the Persians, and he decreed that they should be named at the holy altar of God after the names of the saints."

Narses I, (364-383), surnamed the Great, was banished by the emperor Valens, who hated him on account of his orthodoxy, to a barren island, that he and his few companions might perish of hunger! * He consoled the partners of his miseries, by a beautiful address, which Faustus has preserved in his history. Among other things, Narses says, "He (Jesus Christ) became food for us, and gave his blood to us to drink, that he might mingle his body with our body, and his blood with our blood; that joining the Deity to our souls, he might 'make us partakers of the divine nature.' " (II. Peter i. 7.) Still more strong is that which he relates of a certain man who hesitated in his belief of transubstantiation, and who rejected with great obstinacy the change of the wine into the blood of Christ. The Almighty removed his incredulity by a miracle. Jesus Christ appeared to him and showed to him his wounds. From the wound in the side, the unbeliever beheld the most sacred blood of his Redeemer fast flowing.

It has often been asserted by Protestant writers, and the assertion is repeated in our own days, "that the doctrine of the change of the elements, in the Eucharist, was not generally received even so late as the twelfth century; that the same things were not preached to all, that were taught to the wonder-seeking populace, to whom, from time to time, flesh and blood were shown in their natural forms."†

Without going farther into the injustice of this assumption, we will remark only how inconsequent are those Protestant writers, who adduce, as the effect of a certain cause in the twelfth century, that which they will not allow to have been produced by the same cause in the fourth century. If they suppose that the doctrine of transubstantiation was propagated amongst the people during the middle ages, by the narration of visions similar to that which we have mentioned, they must grant the same to visions of a like nature, narrated in centuries preceding them. Whether the above-mentioned apparition did in truth occur, it is not now our object to examine. It is sufficient for our purpose that it is narrated by

* Compare Audall, History, &c. p. 202.

† Giesler (Professor of Theology in the University of Gottingen), Ecclesiastical History, vol. ii. sect. ii. 2nd edit.

Faustus as having taken place, and the concurrent testimony of all the manuscripts of his works forbid us to doubt that the passage is genuine.

The beauty of the narration will justify the length of the citation.

“ When St. Epiphanius journeyed from the province of Zzopho, from his convent, which was named Mambre, he left there some brethren,—unanimous, faithful, and religious monks,—who led a laborious, eremitical life; and over them he left a priest as superior. Among them there were some, who, from their youth, had tasted no other food than herbs and water: they did not even know the taste of wine. And there was one, a severe brother, who led a retired life, who never tasted of the vivifying cup of redemption of the hope of resurrection,—namely, the blood of our Saviour Christ. For when he came to the altar, he could not believe that it was truly the blood of the Son of God; but it seemed to him to be only wine; and on this subject he would continually dispute with his brethren. And it happened one day, as they were celebrating the mystery of the Eucharistic sacrifice, in the Martyrium, which St. Epiphanius had built, when they offered the holy bread and wine, which were to be converted into the body and blood* of sacrifice upon the altar, this brother remained incredulous in the chapel. Then the priest, standing before the holy altar, lifted up his hands, and prayed,—‘ Thou, O Lord, who searchest the hearts of men, thou knowest the inward troubles of this man; that he leads a toilsome life, and that there is no faith in him. Give to him faith, like a grain of mustard seed, that his soul may not go to ruin. Good Shepherd, who didst come to seek the lost sheep,—didst deliver thyself for thy flock,—save now this man from the unbelief wherein he is entangled, lest the enemy may ensnare his soul, and thy creature, and thy image, fall into the abyss of eternal perdition!’ The priest uttered these prayers before offering the sacrifice, and after this he performed the whole act of oblation. When he said, ‘ Our Father, who art in heaven,’ he kneeled, and remained in deep prayer; and while he kneeled and prayed, the unbelieving brother remained in prayer. He looked from the *ambone* down upon the altar, and he began to see great miracles. He saw Christ, who had descended, and stood upon the altar; and in his side, which his enemies had wounded with a lance, the wound was open, and the

* The word here used by Faustus (*ariunanal*), signifies, according to the Dictionary of Aucher (see the “ Dictionnaire Arménien-Français,” par le P. Paschal, Vénise, 1817), *se convertir, se changer en sang, devenir rouge*. This last signification can by no means be admitted in this place. The word is formed from *arim*, blood, and the syllables *anal*. Schræder observes—“ In hunc modum, infinita alia a nominibus formare possunt in verba ab illis syllabis (*anal*) quæ incohativis Latinis in *seo* desinentibus respondent.” (*Thesaur. Ling. Arm.* p. 133.) But the argument for the belief in transubstantiation is not found in this one word, but in the whole passage.

blood *flowed from* this wound into the cup of sacrifice, which was on the altar; and when the unbelieving monk saw this, being terrified, trembling, confused, and senseless, he fell upon the floor on his face. Then the priest arising, celebrated the most holy sacrifice; and bringing down the B. Eucharist, he saw the brother, who lay swooning on the floor. After he had given the B. Eucharist to those who were to receive it, and they had carried the rest back to the altar, then the priest who had offered the sacrifice, placed his hands upon the brother, and saw that he lay, swooning and affrighted, on the pavement. Then he poured water into his mouth, and the brother came to himself; and having recovered his senses, he related the great miracle which he had seen. The priest wished then to administer to him the H. Eucharist; but the brother did not consent, and would not receive it, as he thought himself unworthy. He then dug for himself a grave, into which he entered, and expiated, during seven years, the sins of his incredulity. And after seven years, he thought himself worthy to come out from the grave, and to partake of the B. Eucharist. Then entering again into the same grave, he remained there all the days of his life, and died therein. Then the priest who had offered the sacrifice, went to his rest; and both were placed together, within the Martyrium, in the convent of St. Epiphanius, where the miracle had appeared."*

The liturgical richness which we find in the Greek Church in the fourth century, is not greater than that which may be discovered in the Armenian Church during the same age. The patriarch Isaac the Parthian, and his friend Menop, who has been already made known to theologians, in the *History of the Armenian Translation of the Bible*, about the end of this century composed and regulated the ritual and liturgy of the Armenian Churches.† But from them we will pass to the writers of the fifth century, from the number of whom we will confine ourselves to Moses Choronensis, Eliseus, and Lazarus Pharpensis; of the writings of these three authors, the *Armenian History* of Moses Choronensis is the most celebrated. The two brothers, William and George Whiston, have the great merit of having made this beautiful monument of antiquity first known to the learned world, by their correct edition and translation.‡ Speaking of Alexandria, Moses makes a comparison between the Pagan and Christian con-

* Lib. v. cap. xxviii. p. 223, seqq.

† See Tchamchean, *Hist. Arm.* i. 510; and Somal, *Storia Lett.* pp. 14, 15.

‡ It was published in London, with the title "*Mosis Choronensis Historiæ Armeniacæ libri tres Armeniacæ addiderunt Latini verterunt notisque illustrarunt Guill. et Georg. Whistoni filii aulæ clarensis in academia aliquamdiu alumni*," 4to. The text was first printed, but full of faults, at Amsterdam, in 1695. This history was afterwards frequently published. See "*Newman's History of Armenian Literature*." We here use the Venetian edition of 1827.

dition of that city, and says, "They do not now immolate to the evil demon, Serapis, but offer in sacrifice the blood of Christ. (*Hist. Armen.* iii. 62.) And in another place (*Ibid.* iii. 24), he narrates the shameful action of the Queen Phrantzem, who, "after having mingled, by means of a priest unworthy of his name, with the remedy of life that which causes death, gave it to Olympia, the first spouse of Arsaces, and killed her, through hatred of her princely dignity."*

Of Eliseus we possess a history of the Persian persecution in Armenia and Georgia. It is probable that this historian Eliseus is the bishop of the Amadunians, whose name we find in the council of Actaschat in 450. In the third section of his history he relates, that when those Christians, who were in the Persian camp, beheld the weakness of some Armenians, they were struck in their hearts, and fell upon their faces on the ground. Many of them came and reproached the chiefs of the Armenians, and severely reprehended the assembly of the priests. They followed them, and said, "What are you doing with the holy writings? whither are you carrying the office of the altar of our Lord? You have been teachers of the apostolic doctrines, and now you are disciples of deceit; you have been instructors of the truth, and now you teach a false error; you were baptized in fire and in the spirit, now you are plunged into ashes and cinders; you, who were nourished with the living body and the immortal blood, now you are contaminated by the dross of the victims slain to impure gods."—(*Hist. of Vahtan*, iii. p. 90.) In another passage he tells us of Vasak, the Lunian, who, at first, fell from Christianity, and filled his country with unspeakable horrors: "that to him was forgotten the coming of the Son of God, and that he thought not on the preaching of the holy gospel; that he was not afraid of the threats, and found no consolation in the promises, of God. He denied the font which had renewed him, and remembered not the redemption of the Holy Spirit that had regenerated him; he despised the most venerable body by which he had been sanctified, and trod down the living blood which had cleansed him from his sins."—(Sect. iv. p. 159.) Again he says: "He died like a dog, and was carried away like the carcass of a beast; his

* Faustus Byzantinus narrates the same action. "She performed the odious, and incomprehensible, and unheard-of deed, mingling venom of death with the source of life. Into the body of our Lord, into the holy and divine body, into the bread of the Eucharist, they mingled the venom of perdition. A priest named Meitchunik, gave to the Princess Olympia that which caused her death, and killed her in the church."—*Hist. Arm.* bk. iv. chap. xv. p. 123.

name was not mentioned amongst the saints, and his memento was not made before the altar of the church.”—(Sect. vii. p. 248.) Before the coming fight the Armenians strengthened themselves by prayer, and the holy communion. Eliseus tells us: “They erected an altar, and celebrated the most holy mysteries; they prepared a font, lest there might be a catechumen in the troops of the army; and in the morning they partook of the holy eucharist, and they were in this manner illuminated, as by our Lord’s great and holy passover.”—(Sect. v. p. 199.)

With this history there is another work (see *Esolik Fragments*, in Aucher’s *Armenian and English Grammar*, p. 294), which appears to be a martyrology, and is bound up with the history, under this title, “Concerning the same war, and the sufferings of the priests.” Eliseus, who relates, that a chief of the Magi, being moved by the constancy of the priests, and encouraged by a vision, exchanged his errors for the Christian religion: “He erected a font in his house, and received the holy baptism from them; he partook of the vivifying body, and of the expiating blood of our Lord Jesus Christ; with a high voice he cried out, and said, ‘Baptism is to me the washing away of my sins,—the regeneration and renovation of the Holy Spirit; the taking of the sacred mysteries is my inheritance of the heavenly Sonship.’”—(Sect. viii. pp. 269 and 270.)

From the history of Lazarus Pharpensis, which embraces the period from 348 to 485, we will select only the following passages: “The holy Joseph and Leontius gave orders, that all the priests should perform the office of the Liturgy; whereby, being armed with the armour of the spirit, they were carried into the Paradise of pleasure, planted by God; and, after the Armenian troops had partaken of the venerable mysteries of the body and blood of Christ, they hastened to their work.”—(*Lazar. Pharp. Hist. Arm.*, edit. Venet. 8vo. p. 122.)

The holy bishop Isaac, who suffered the death of the martyrs, in 454, spoke thus before his execution: “We praise Thee, O Christ, the vivifying Lamb, who, by that sacrifice, which shall never cease to be offered, hast been many times distributed by our hands, receive us now, who are made a sacrifice to Thee,—receive us all, who are now immolated in the odour of sweetness.”—(*Ibid.* p. 174.)

We need not wonder, if, after these testimonies, we find no declarations in the earlier Armenian councils, expressive of their faith of the real presence of Jesus Christ in the Eucharist.

The faith of the nation on this dogma was so universal, that no occasion had then presented itself for passing dogmatical decrees. But the writings, regulating the discipline of the churches in the same age, prove abundantly that the Armenians believed the Eucharist to be something more than a simple empty act of commemoration. It could arise only from a belief in this real presence, that the councils so earnestly prescribed to the priests, not to permit those who were unworthy to approach to the table of the Lord. They ordain that the faithful shall approach not only with a spiritual but also with corporal preparation,* and that the hosts shall be prepared only by priests, not by laymen. The regulations, and the practice of conveying the Eucharist to the sick, demonstrate not only the efficacy which was attributed to this holy sacrament, but prove, moreover, the faith of the Armenians in the *permanence* of the body and blood of Christ in the Eucharist, as the sacred hosts were preserved in the churches for this purpose.†

Nor was the nature of the Eucharistic sacrifice less known and believed.‡ The writers of the following century speak no less precisely on the same dogmas of faith. Thus John the Mamigonian names the Eucharist a sacrifice (*Hist. Taron.* cap. ii. 16), and says that "Jesus Christ gave to the faithful his body as food, and his blood as drink." The patriarch John Ozinensis, who was surnamed the Philosopher, calls the Eucharist "the food which had descended from Heaven, the body and blood of the life-giving Christ," and speaks of it also as a true and real sacrifice. In the ninth century we have the testimony of John VI, the historian, who names the Eucharist "the vivifying body and blood of Jesus Christ Our Lord," an expression which we meet with in the writings of Chosroes the Great, in the tenth century.§ We will close this long series of tradition with a fine passage from Nerses Lampronensis. In the address which he delivered before the synod of Romlla, in 1179, he proves with how little cause the Greeks and Armenians contest with each other on the matter of the holy sacrament, since both Churches profess the same faith of this sacred

* "They must come fasting to the Lord's table." Isaac Parth. 426. Epl. Canon. cap. ii. 18 (apud Tehamteh. i. 512).

† Isaac Parth. Epl. Canon. cap. ii. can. 12. Audall. ii. 41.

‡ Macar. Epl. Canon. ad St. Verthan. can. 6, 7, 8; Isaac Parth. ii. can. 6. C. Shahapivan prescribes, that if a deceased person had given orders that he should be mourned in the manner of the heathens, sacrifice must not be offered for his soul, nor his name remembered at the offering.

§ See Somal, p. 61; and "Expositio Breviarii Eccl. Ann.;" also a fragment in Aucher's "Armenian-English Grammar," p. 281.

mystery. "God," he says, "created bread for the food of the body, and wine for its drink. Christ, our hope, took the same bread and the same wine, blessed and sanctified, and gave them to us, when he had made them his body and blood, that they might be to us a commemoration of our redemption. The Church now continues to pronounce the same blessing over the same bread, in honour and in commemoration of Christ; and it is the same blessing and the same name of Christ that is uttered by each nation, albeit in their different languages. But since enmity has entered amongst us, although we hesitate not to eat the bread of each other, before it has been blessed by the name of Christ, yet, when by one and the same blessing it has become the body of Christ, the Armenian will not receive it from the Greek, nor the Greek from the Armenian. The bread that has been blessed by the same blessing, and consecrated by the same name of Christ, and the same spirit of grace, we on both sides avoid; before it has been sanctified, we eat it without fear; when it has been consecrated, we tremble and turn back from it. An empty shadow has been the cause of our numberless evils, and that which formed the strongest defence of the Christians against the heathens, we now employ to excite contentions amongst ourselves. And the words of the holy Fathers do not condemn strangers, but ourselves, of sin; for the Fathers kept this sacred mystery carefully concealed; but we, who have *one faith*, respecting it, and consecrate it by the same prayer, so act as to give occasion of contradiction against it. . . . We believe that when the sacred words are spoken, the bread will become the body of Christ, and so in truth it is. If you do not believe thus, your bread may be unleavened, or white as the snow; it has no effect for you. For the blessing does not change the element into a substance visible to the eyes, but into a substance comprehensible by the spirit: that which is spiritual we can see by faith, and to faith it is equally possible that bread, whether it be leavened or unleavened, should become the body of Christ, when the consecrating blessing has been uttered over it."*

It would be easy to produce testimonies which prove the belief of a true, real, and substantial presence of Christ in the Eucharist, from writers in each succeeding century; but it is granted to us by all our opponents that the doctrine of transubstantiation was universally taught and received in the twelfth age. We will therefore content ourselves with the

* Nerses Lampronensis, *Orat. Synod.* edit. Venet. 1787, p. 42. An Italian translation was published by the learned Pascal Aucher, at Venice, in 1812.

following inscriptions, and we give them partly because they are not without interest for our present purpose, and partly that they may be made known to theologians. The first, which was discovered by Parrot on a votive tablet in the cloister of St. James, on Mount Ararat, contains the date 787 of the Haskanischian era, and corresponds to the year of Christ 1288. The inscription runs thus: "By the grace of God, I, Michitar, and my wife Tamar, build this monastery of St. James according to vow, from our own money: the holy brothers have promised to pray for us and our posterity four times in the year in the holy mass."* The second inscription belongs to the same period (1280), and is found in the Memoirs of John Onouskherdjan. It is on a gravestone in the monastery of Hagdpad, and is as follows:—

"In the year 729 (1280) in the reign of Tatvun, I, Badzadz, son of Libarid, and my wife Tonta, of the race of the Mamigonians, have placed in the holy cross of Hagdpad the little finger of the blessed Gregory the Illuminator, which we had inherited, and which we know to be a true relic. At the request of the bishop and of his brethren, we have given this relic, together with other presents, to the holy Church. And my lord bishop John and his brethren have promised that mass shall be said for us on the Saturday following the day of the crucifixion, and on the following Saturday and Sunday. We have also given a house and a vineyard for the use of the community. Those who shall fulfil these dispositions shall be blessed of God."†

We feel confident that the authorities which we have produced are more than sufficient to prove that the Armenians, from the time of their conversion to Christianity, have always believed in a true, substantial, and permanent presence of Jesus Christ in the Eucharist, and that they offered the same to God as a sacrifice of propitiation for the living and the dead. From authorities the most incontrovertible it could be shown that the same is the faith and the same the practice of the Armenians at the present day.‡

* "Travels to Ararat," by Dr. Fred. Parrot. Berlin, 1834. Part i. p. 205.

† M. Klaproth has published a free translation of this inscription, made by M. Harouthioun Ardouadzadour, in "Mémoires relatifs à l'Asie." Vol. i. p. 228.

‡ Some Catholic divines have thought the doctrines of the modern Armenians, respecting the Eucharist, not perfectly orthodox. See Richard Simon, in notes "Ad Gabrielem Philadelphensem." But the Armenian Liturgy, of which an Italian translation was published at Venice, 1832, by the learned Father Avedichian, proves their orthodoxy beyond all doubt. The same may be seen in the "Confessio Fidei Eccl. Arm.," addressed to Pope Pius IV, in 1564; in Tchamtohean, "Hist. Arm.," vol. iii. p. 521. We read these words in Schroeder's "Thesaur. Ling. Arm.," p. 329, "Quotquot Christiani crucem honorant omnes uniformiter cum Romanis credunt panis atque vini mutationem in Christi corpus et sanguinem . . . et nos putamus quod sine Missa Christianus non detur." Adam Olea-

The conformity of the Armenian with the universal Church, is not confined to the subject of the Eucharist: a like agreement exists in every other article of our faith. Thus the Armenians admit not only the sacred Scriptures, but tradition also, as the rule of their faith;* they believe that, with this rule, Christ left in his Church a living, speaking, and infallible judge, to explain the same, and to determine in all doubts. The history of the Armenian councils would supply abundant proof of this; we need not, therefore, search the writings of individual authors, whom, however, it would be easy to collect. It will suffice to cite the declaration made by the council of Duin, in the year 648, to the ambassadors of the Greeks: "We receive no new traditions: the doctrines which were delivered to us by our patriarch, Gregory, and the three holy councils, these alone we hold fast."—(In Tchamtchean, *Hist. Arm.* ii. p. 350). Adhering thus to the doctrines of their pastors and bishops, and to the tradition of the fathers, the Armenian nation was not to be turned away from its faith; and in the most cruel persecutions, the Persians could devise no means which appeared to them more calculated to destroy the religion of the people, than to persuade them to listen no more to the teachings of the pastors—(*Eliseus. Hist.* sect. ii. p. 44). The people of Armenia received the Christian faith through the preaching of the holy Gregory; and, although the sacred Scriptures were made accessible to them, by a translation in their own language, about a hundred years after, they continued to adhere to the same rule of faith. Their bishops assembled in council, announced to them the dogmas of their creed,† and regulated the discipline of the churches.‡ Nor in later times have the Armenian people shown themselves untrue to this principle: the authority of their bishops, in teaching, is still in full vigour amongst them; and it is a subject of com-

rius asserts the same in his "Itinerarium;" and all modern travellers are unanimous in declaring the conformity of the Armenian with the Roman Church. Well does the writer of this note remember the honest indignation of the learned F. P. Aucher,—whose name has frequently occurred in this article,—when informed that Lady Morgan had asserted, that she was told by him, that although living under the protection of the pope, the Armenians at Venice were what the pope would call heretics.

* Greg. Illum. ad Leont. Episc. Cæsar. Eliseus. Hist. Sect. ii. 29, 48. Lazar. Pharp. Hist. Arm. pp. 59, 83. John. Ozienis. Orat. Syr., &c. &c.

† See Schroeder. Thesaur. Ling. Arm. p. 254. Note in Symbolum.

‡ In the council of Shahapivan (447), the assembled nobles spoke to the patriarch Joseph, and to the other bishops, "You may confirm the order of discipline, instituted by the holy Gregory, by the holy Narses, by Isaac and Mashtoz, or you may institute a new order, and we will observe it with submission and pleasure."—Apud Tchamtchean, *Hist. Arm.* ii. p. 16.

plaint with all modern Protestant writers, that the Armenians do not pay the written word of God that reverence and submission which is due to it *alone*. Herr Parrot laments, "that success had not attended the efforts of the magnanimous members of the missionary station, which had been established in Schuschia, on the other side of the Caucasus, at least in their attempts to print a translation of the New Testament in the vulgar tongue of the people of eastern Armenia, although they had earnestly sought to publish the manuscript of the holy council of Etchmadrin, with corrections and emanations."*

With regard to the number of the sacraments, the belief of the Armenian Church has always been in unison with the Church of Rome, namely, that Christ instituted in his Church seven sacraments; and if proof of this belief be wanting, it may be found in the Armenian *Ritual*, of which a new edition was published at St. Lazaro, in Venice, in the year 1831. The Armenians have always believed and believe, that in baptism man is cleansed from sin and regenerated; that in confirmation, he receives the Holy Ghost; and in the sacrament of penance, after a sorrowful confession, the forgiveness of his sins;† that the punishment due to sins, already forgiven in the sacrament, could be remitted by penitential works enjoined by the Church. In the earliest ages, the Armenian Churches employed the greatest care in the due administration of the sacrament of penance; and we see that many councils regulated the degrees of penance, and decreed the various canonical punishments for particular crimes.‡ After all that has been said in this article, we need cite no more testimonies respecting the holy Eucharist, to prove that the Armenians agree with us in faith on this subject. We find them administering extreme unction as a sacrament; matrimony is ranked by them in the number of the seven sacraments; and they believe, that in ordination, in the three degrees of deacon, priest, and bishop, there are, sacramentally, conferred a true priestly dignity and power.§

* "Travels to Ararat," i. p. 100. See also Smith and Dwight, "Missionary Researches in Armenia," p. 209. London, 1834.

† See Concil. Sis. (1342), of which the acts are published in "Canisii Lect. Antiq." tom. 7; "Confessio Fidei Eccles. Arm. ad Pium IV.:" the magnificent discourse, "De Fornit." of Jacob. Nisib. and the historians already cited.

‡ The councils of Shahapivan, in 447; of Duin, in 719; and of Partav, 768.

§ See the councils and authors before cited. It is worthy of remark, that Lazarus Pharpensis distinguishes the *potestas ordinis* from the *potestas jurisdictionis*, in the case of the patriarch Joseph, before he had received consecration from the bishops.

As in the sacraments, so in the honour and veneration given to the saints of God, the Armenian and Roman Churches are in perfect accord. That the Armenian Church has always honoured the blessed Mother of Jesus Christ and the other saints, proofs, in number, may be found in almost every page of their historians and sacred writers. Miracles are recorded, by which God himself has honoured his saints amongst men (Eliseus, Sect. viii. p. 265, et seqq.); feasts were instituted in their memory; churches were built in their names; and, from the most remote periods, the most learned men of the nation composed hymns and canticles in their praise (Somal, *Storia Lett. passim*). In all difficulties the faithful had recourse to their intercession; and, so deeply were the Armenians penetrated with the conviction of their power, that Lazarus Pharpensis attributes the preservation of the faith in Armenia to the prayers of the blessed Gregory.

This manifestation of respect to the saints was not confined to the honouring of their memory, or to the invocation of their prayers; it extended also to their relics.* Altars were raised, and the sacrifice of the Mass was offered over their relics,—and churches were built to contain them. Great virtue was oftentimes found in them to heal the sick and the infirm (*Laz. Pharp.* p. 179); and, to destroy the veneration in which they were held by the Christians, their Pagan persecutors were accustomed to break and consume them (*Ibid.* pp. 151, 200). Great caution was exercised by the bishops, that no false relic should be exposed to the veneration of the people; and, in the council of Shahapivan, it was decreed, “that if any person should bring with him from another place the relic of a martyr, he should obtain a certificate from the bishop of that place, and then, with the permission of his own bishop, should deposit it in the church,” (Can. 17); so that here all danger of fraud, of which we hear so many accusations from Protestants, was effectually prevented. What, therefore, is more natural, than that the Armenians should possess and revere memorials of Christ and his saints, such as crosses, holy medals, and pictures? That they did so is attested by all their historians. Under the shadow of the Cross, the holy Gregory opened his mission of conversion, and wherever he came and preached the gospel, there he erected a cross, to show that Christianity had struck its roots

* Greg. Illum. Epl. ad Leont. Episcop. Cæsar. Jacob. Nisib. Sermon vi. de Devotis. Zenob. Hist. pp. 14, 23. Faust. Byzant. iii. 10. Lazar. Pharp. Hist. pp. 63, 94, 178.

into the soil. Nor has the present generation forgotten the practices of their fathers: and, with regard to pictures of the saints, the learned Tchamtchean has proved, in a separate dissertation, that it has been, from the earliest age, the custom of his Church to honour them (*History of Armenia*, ii. p. 1017).

From doctrines we might turn to observances of discipline, and we should find the same uniformity with our own Church existing. The Armenian historians relate, that the holy apostle of Armenia, St. Gregory, introduced, as he was directed by pope Silvester, the observance of fasting amongst his new converts (*Zenob. Hist.* p. 23); and in the writings of their authors, and in the examples of the primitive members of the Armenian Church, we find explained the object and necessity of fasting and of abstinence. We will not fill our pages with accounts of all their usages and observances, to show how exactly they are in conformity with those of the Church of Rome. A glance at the works of their ancient writers, or a perusal of modern descriptions of the present religious condition of the Armenians, would immediately prove our assertion true.*

Despite all this, there have been found Protestants who have had the hardihood to deny the conformity in doctrine of the Christians of Armenia and the Church of Rome; and if in former times, Protestant writers were content with the assertion, that there had existed a perpetual dissension between the two Churches,† some who have come after them have advanced a step beyond their limits, and have claimed the Armenians as members of their own Protestant Church.‡ But in this bold attempt they have forgotten, that not even the schismatical Armenians, notwithstanding their aversion to Catholics, have ever yet expressed the slightest affection to Protestants, or the slightest desire to form an union with them. We are at a loss to discover upon what grounds Protestants can desire to effect a conjunction with the Armenians. An entire freedom of belief, and a rejection of all ecclesiastical authority, were laid down as the foundation of Protestantism; but in many essential principles, the Armenian and the Protestant Churches stand in direct opposition to

* See particularly Tournesfort's "Relation d'un Voyage au Levant." Amsterdam, 1718, vol. ii. ep. 20.

† Spanhemius, "De Ecclesiæ Græcæ et Orientalis a Romana et Papali in hunc diem Perpetua Dissensione." Opp. ed. Amstelod. tom. ii.

‡ See accounts of the Protestant missions, and particularly "A Short Description of the Present State of the Armenian People." Petersburg, 1831.

each other. But although this might appear to a Catholic an insuperable difficulty to an union, it is none to a Protestant. A discrepancy in belief,—as the number of the sacraments—cannot afford a sufficient cause for a separation, for even the first Reformers themselves could never arrive at an unanimous decision upon this number; and the only chance of an agreement upon this subject appears to be an entire rejection of all the sacraments. The belief in the real presence of the body and blood of Jesus Christ in the Eucharist, and for professing which Catholics are accused of no less a crime than idolatry, can appear, however, to the Protestant no reason for retiring from his Church; for we know that Luther, the father of the pretended reformation of faith, believed in this real presence, and that, as Dr. Milner* has shown, many distinguished bishops of the English High-church have believed the same, without ceasing, therefore, to be true and good Protestant Christians. But if Protestants do not, or cannot, expel from the communion of their Church, those who have renounced all faith in the great mysteries of Christianity—the Trinity and the Incarnation of the Son of God—certainly the honour given to the saints, or the respect paid to their relics and pictures, ought not to exclude any one from their society. But, to a Catholic, this is a further proof of the impossibility of union amongst the various sects of Protestants; and so far, indeed, are they removed from that unity of belief which is claimed by their Confessions of Faith,† that their only unity is one of hatred and of enmity against the Catholic Church and its rulers. “Protestantism,” says a celebrated writer of the English Church, “is the abjuration of Popery.”‡

If this, indeed, be the essence of Protestantism, we will grant that it would not be difficult to find good Protestants even amongst the Armenians. For the hatred of the schismatics against the Catholic Church is great, and their fanaticism against the pope, the head of that Church, still greater,—greater in proportion to the state of ignorance and degradation into which they have fallen. But it is a great error to imagine, as some have done, that the denial of the supremacy of the Roman Pontiffs, forms part of the Armenian creed, and to appeal, when combating this point of Catholic faith, to the authority of the Armenian Church. In every age since their

* See “End of Religious Controversy,” by Dr. Milner, Letter xxxviii.

† Confess. Anglic. Art. 18. Conf. Leot. in 1568. Compare Calvin, Inst. iv. 1. Beza. Confess. Fidei. c. 5.

‡ Dr. Burgess, “Protestant Catechism.” p. 12.

conversion to Christianity, there has existed amongst the Armenians, an uninterrupted tradition of the supremacy of the bishops of Rome, of which tradition we will here present, as briefly as possible, some idea.

It has always been the firm conviction of the Armenian Church, that Christ, before his departure from this earth, left with his apostle Peter, a real supremacy in his Church,* nor has the conviction been less firm, that this superiority did not cease with the life of the apostle who had received it, but that it passed from him to his successors, the bishops of Rome.

There has existed, from the most remote ages, a tradition amongst the people of Armenia, that St. Gregory Illuminator, after he had effected the conversion of the nation, journeyed to Rome, to visit the pope, St. Silvester, and received from him the patriarchal authority over the provinces which he had added to the Church.† We, however, give no great importance to this account; for, although Tchamtchean‡ endeavours to prove the truth of it, and produces authorities from the most ancient Armenian writers, still it appears to us to be in contradiction with known historical facts, upon which alone we would ground our proof. This, however, is certain, that this narrative has descended through a long series of generations, and is now believed by the Armenians; nor has the fanatical hatred of the schismatics against the Pope yet been able to weaken the belief of the journey of St. Gregory. Eznic of Golf (fourth century) relates,—what we know, indeed, from other sources,—that Marcion, having been excommunicated by his father, travelled to Rome, to obtain there an order from the pope for his restoration; and Eliseus has preserved a document,—a letter from the Patriarch Joseph to the Emperor Theodosius,—wherein it is said, that “they have received the faith in Christ from the holy pontiff of Rome, who had enlightened the dark regions of the north.”§ Moses of Chorene, together with all other historians, relates, that Pope Silvester presided, by his legates, at the Council of Nice,|| and Celestine at the Council of Ephesus.¶ In the ninth century, we have the noble testimony of the Patriarch Zacharias. In his Discourse on the birth of Christ, he says,

* Jacob. Nisib. Serm. viii. De Pœnit. n. 6; Serm. xii. De Circum. n. 12. Isaac Parth. Epl. Can. cap. iii. Eznich, Epis. Golp. (sæcul. iv.) Confut. Hær. l. iv. Confess. Fidei Eccl. Arm. &c. &c.

† Audall, History of Armenia, i. p. 162.

‡ In a separate Dissertation, in vol. i. p. 636.

§ Eliseus, Hist. of Vartan, sect. iii. p. 123.

|| Hist. Arm. ii. 89.

¶ Ib. iii. 61.

“ Before our Saviour Christ was born, he gave the dominion of the world to the Romans, whom the prophet Daniel calls the fourth beast. Thus he prepared to establish the see of St. Peter and St. Paul, and the supremacy of the holy Church, to call the Roman empire to the Faith, that it might become the sceptre of the Christian confession against the enemies of the cross of Christ.”* To these we must add the testimonies of Narses, who, in his Epistle to the Emperor Manuel, calls the Pope “ the holy and supreme head of all archbishops, the Roman pontiff, and successor of the apostle St. Peter.”† And in his Elegy on the Fall of Edessa, he writes,—

“ And thou, O Rome, mother of the cities,
 Illustrious and honourable !
 Thou, the see of the great Peter,
 Prince of the Apostles !
 Thou Church immovable,
 Built on the rock of Cephas,
 Invincible to the gates of hell,
 And seal of the guardian
 Of the gates of heaven !”‡

Farther testimony cannot be desired. It is well known from ecclesiastical history, that the bond which united the two Churches was drawn closer; and so strictly did the Armenians adhere to their fidelity in this union, that the Council of Sis, in 1342, solemnly condemned the writings of Vartan and Mechitar against the pope.§ We shall pass over the period which intervened until the Council of Florence, when, for the last time, the Armenian Church solemnly declared its adherence and subjection to the Church of Rome.

We should be led too far away, did we attempt to give *in extenso* all the declarations of union and of dutiful homage which have been made by the Armenian patriarchs to the Roman pontiffs since the time of the Council of Florence. We shall therefore confine ourselves to one or two brief extracts.

“ Stephen the Fifth, who filled the pontifical chair of Etchmiadzin from 1541 to 1547, went to Rome on a pilgrimage to the shrines of St. Peter and St. Paul; here he was greatly honoured by the pope, for whom the Armenian patriarch had a particular regard. . . . His successor, Michael of Sebaste, despatched a messenger named Abgar to Rome, and gave to him letters of love and veneration to the pope,

* See the passage in Aucher's English and Armenian Grammar, 1819, p. 261.

† S. Narsetis Arm. Cath. Opera, studio J. Cappaletti, Presb. Venet. 1833, i. 202.

‡ See Aucher's Grammar, p. 311.

§ Somal, Storia Lett. p. 113.

for the purpose of settling some affairs of his Church. He also sent at the same time to his holiness a copy of the mutual communion of the two Churches formed in the days of the Illuminator; also a list of the convents, churches, relics of saints, and the names of the places in which they are preserved, in Armenia.* The patriarch Melchisadec (1593-1624) wrote, during the troubles which visited Armenia, while he ruled the Church of that country, twice to the pope, to signify his obedience to the Church of Rome. David wrote also to the same effect; and the patriarch Moses wrote three times to the bishop of Rome, declaring his obedience to his Church.† Like his predecessors, Philip the patriarch professed his obedience to the bishop of Rome, in a letter which he wrote to Innocent the Tenth. Jacob the Fourth, the day before his death, in 1680, caused his profession of faith to be written, in which he expressed the most perfect submission to the See of Rome.‡ This profession of faith was deposited in the hands of the Vicar Apostolic, at Constantinople.§ Nahapiet, having heard that many things injurious to the faith of the Armenians had been reported by interested and malicious persons to Pope Innocent the Twelfth, wrote to that pontiff a declaration of the most profound submission to the head of the holy Catholic Church.|| Innocent answered the letter of Nahapiet, two years later, stating to him the slanders that had been propagated against the Armenians, assuring him of his high consideration of him, and exhorting him to pay no attention whatever to what might be related to him, discreditable to the faith of the Church of Rome. On receiving this letter, Nahapiet wrote to Rome, expressing his submission to the papal authority in the following words: ‘ We confess that the Pope of Rome is the true successor of St. Peter, the rock and head of all the faithful, the bishop of all bishops, and the universal teacher of the whole Church of Christ: we confess, too, that the holy Church of Rome is the mother of all Churches, to whom we acknowledge that we are bound to obey.’¶¶

Alexander the First was solemnly elected patriarch at Etchmiadzin, in 1707, after the death of Nahapiet; and his first official act was to address the pope, in the name of the whole nation, to signify their obedience to his Church. This circumstance is the more remarkable, as, previously to his elevation, Alexander had distinguished himself as a violent opposer of all concessions to the pope.** The patriarch Carapiet wrote

* Audall, *History of Armenia*, vol ii. p. 335.

† Audall, *loc. cit.* p. 367, 373.

‡ Audall, 430.

§ “History of Armenian Literature,” by F. Neumann, p. 247. This profession is found in the “Réponse Général au Nouveau Livre de M. Claude,” Le Quien, *Oriens Christianus*, i. 1415.

|| Audall, ii. 435, 436.

¶¶ In Tchamteh. *Hist.* vol. iii. p. 726.

** Audall, p. 457; Somal, *Storia Letteraria*, p. 171.

likewise to Innocent XIII, in 1727, declaring his obedience to the Roman Catholic Church.*

Not only patriarchs and bishops, but secular princes also, made frequent declarations of the same faith. We are indebted to the diligence of the learned St. Martin,—taken from us too soon, alas ! by death,—for a testimony of this kind, which bears ample evidence of the belief of the Armenians on this subject. It is a letter, written in 1699, by the Armenian princes, “to the vicar of Christ, to the great and worthy inheritor of the see of St. Peter and St. Paul, the sovereign head of the orthodox faith,” wherein they complain to the pope of the vexations which they were compelled to endure from some of their clergy. The letter is too long to be given entire ; we have therefore selected only the following brief passages, which, however, are sufficient for our purpose. “As all the words which go out of your mouth are agreeable to God, the Creator, the Omnipotent Father, we will receive your orders. We are all obedient to the orthodox faith of Rome, the faith of St. Peter and St. Paul, and of the sovereign pontiff the Vicar of Christ, also to the holy Catholic orthodox and Roman Church.”†

Uninterrupted as may have been the tradition of the Armenian Church on the primacy of the pope, we must not forget that, ever since the Council of Chalcedon, in 451, there has existed in Armenia a party, a sect most hostile to the true faith, and consequently to the Pope, and which has sometimes exercised the most revolting cruelties against the Catholics.‡

Without yielding to that enthusiasm with which many *Armenianists* of the present day have been borne too ardently away, we still are confident that our treasures of knowledge would be greatly enriched by a study of Armenian literature ; and we scarcely need the authority of St. Martin, to assure our Catholic readers, that Ecclesiastical and Patristical studies would derive the greatest advantage from an acquaintance with the works of Armenian authors.§

* Audall, ii. p. 479.

† *Mémoires sur l'Arménie*, Paris, 1819, ii. 479, seqq. He says, “J’ai trouvé cette lettre dans les Archives Pontificales, à l’époque où elles étaient à Paris, dans un registre de la secrétairerie d’état, qui contenait un grand nombre de lettres venues de l’Orient, sous le Pontificat de Clément XI, qui monta sur la chaire de S. Pierre en 1700.” Ibid. 486.

‡ See Audall, Hist. ii. 459, 481. In the winter of 1828, 10,000 Armenian Catholics were, through the instigation of the schismatics, banished from Constantinople. See “Constantinople in 1828,” by Charles M’Farlane, Esq.

§ *Mémoires sur l'Arménie*, i. p. 10.

three chapters with which we are particularly concerned at present.

In the first place we must say that, perhaps, in the whole compass of modern literature, there is not to be found so bright an instance of charity as in this department of the work. The author's unwillingness to allow general expressions to be pressed beyond their necessary signification, to the prejudice of his hero; the stern severity with which he reproves those, who, on mere uncertain traditions, labour, for the gratification of Protestant malignity, to fix a stain upon the character of a "fellow-creature;" * the rigid scrutiny to which he subjects those statements of the contemporary historians which are most doubtfully expressed, while he adroitly avoids all mention of the passages which tell most pointedly against Henry; altogether present a picture of zeal in the defence of innocence which is very rare, and very delightful to contemplate.

Walsingham is the principal early historian of the period we are now engaged with. The little we derive from him on the subject of the Prince's character, is to be found in a passage which our author translates as follows:—

"On which day [of Henry's coronation] there was a very severe storm of snow, all persons marvelling at the roughness of the weather. Some considered the disturbance of the atmosphere as portending the new king's destiny to be cold in action, severe in discipline and in the exercise of the royal functions; others forming a milder estimate of the person of the king, interpreted this inclemency of the sky as the best omen, namely, that the king himself would cause the colds and snows of vices to fall in his reign, and the mild fruits of virtues to spring up; so that with practical truth it might be said by his subjects, 'the winter is past, the rain is over and gone.' For verily, as soon as he was initiated with the chaplet of royalty, he suddenly was changed into another man, studying rectitude, modesty and gravity, [or propriety, moderation and steadiness], desiring to exercise every class of virtues without omitting any; whose manners and conduct were an example to persons of every condition in life, as well of the clergy as of the laity."

We must call the attention of our readers to the ingenuity with which our author, by an adroit translation, has done his best to draw attention from Walsingham's meaning; namely, that it was expected the king would cause to fall the colds and snows of *his own* vices; and that he does not merely say that the prince was deficient in rectitude, modesty, and gravity,

(or, in Mr. Tyler's pharaphrase, propriety, moderation and steadiness), but that he was notorious, *among those who judged him most favourably*, for vices which were fitly typified by the cold and unseasonable snow-storm of an April day.

Leaving this general description as too vague to be by itself of any weight, Mr. Tyler contrasts with it, the address of the House of Commons to Henry IV. in 1406, in which they pray, that the prince may be acknowledged heir-apparent, and commend him for his obedience to his father, and his good courage and submission to the council placed about him. "Undoubtedly," continues Mr. Tyler, "most of the *subsequent* chroniclers not only speak of his reformation, but broadly state that he had given himself very great licence in self-gratification, and therefore needed to be reformed." But, "let the investigator who is resolved not to yield an implicit assent to vague assertion, search, with unsparing diligence, through every authentic document, and not a single hint occurs of any one irregularity. To these and other excellences in his moral compound, his father and his father's antagonist, Hotspur,—the assembled parliament of England,—the common people of Wales,—the gentlemen of distant counties,—*contemporary chroniclers*, &c., bear direct and unstinted witness. *And yet there is not even an insinuation thrown out of any excess, indiscretion, or extravagance whatever. Not a word from the tongue of friend or foe, of accuser or apologist, would induce us to suspect that anything wrong was stifled or kept back.*" This, with the flattering testimony of the poets Lydgate and Occleve, of whom he was the patron, and whose testimony in his favour we should just as soon think of admitting, as the testimony of Shakspeare to the "fair virgin throned in the west," in proof of queen Elizabeth's chastity, literally forms the whole of Mr. Tyler's proof. The authority of Elmham, Titus Livius, Otterbourne, Hardyng, and Fabian, is not even alluded to. Hardyng's *name* is mentioned *once* in a note (p. 320). Elmham is once mentioned (p. 335), to vouch for Henry's conduct at his coronation; and the account of the death-bed scene of Henry IV, and the behaviour of the prince on that event, is given (p. 333), mangled from Elmham, a contemporary, as a "tradition gathered from various writers who lived near that time." In his sixteenth chapter, in examining into the story of the Chief Justice (p. 366), he does, indeed, speak, in a parenthesis, of "biographers who lived and wrote nearest to the time (such as Elmham, Livius, Otterbourne, Hardyng, Walsingham, all

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of whom speak more or less strongly of his irregularities and youthful vices, and subsequent reformation), &c.;" but he enters into no discussion of their testimony, and he does not even mention their names, until the unwary reader, deluded into the belief, that the authority of the chroniclers was fairly disposed of two chapters before, and, moreover, seeing these writers not spoken of as contemporaries, but merely as writers who lived near the time, is by no means inclined to enquire what their evidence may be, or what may be its worth.

Hardyng, one of those whom Mr. Tyler mentions as living "near the time," was born in the year 1378, that is, nine years before Henry, and was thirty-five years old when Henry, at the age of twenty-six, ascended the throne, in 1413. He must have been a man in the prime of life, at the very period when Henry's youthful follies were perpetrated, if they ever happened at all. Hardyng, whose metrical chronicle is, like the writings of all the contemporary chroniclers, extremely meagre, in the short prose heading of the chapter at the commencement of Henry's reign, says, "*In the hour that he was crowned and anointed, he was changed from all vices unto virtuous life.*" In the next page, he goes on in metre,—

" The hour he was crowned and anoint,
He changed was of all his old condition :
Full virtuous he was fro point to point,
Grounded all new in good opinion,
Far passingly without comparison,
Then set upon all right and conscience,
A new man made by all good regimence."

Titus Livius was an Italian, patronized by Humphrey, duke of Gloucester, and by him commanded to write the life of his brother, Henry V. This work is addressed to the young Henry VI, to inspire him with a desire to imitate his father's character, "*cujus tibi mores imitandos maxime nationes omnes sperant.*" Now what says this courtier, dependant for his worldly substance on the brother, and writing, as an example for the son, a life of the father, at the command, and under the superintendence, of the brother? This is quite a family matter; surely no slander can creep in here. "*Musicis delectabatur, venerea et martialia mediocriter secutus, et alia quæ militariis licentia præbere solet quoad rex illius pater vixit. Jam patri finem natura faciebat, et sacerdote quodam in altari sacrificante, huic principi filio suo post debitas Deo gratias &c. rex pater benedixit. Henricus princeps ut qui ad regnum deventurus erat, ad se vocato sacerdote honestissimæ*

vitæ, quodam monacho, præteritos errores confessus, *vitam et mores penitus emendavit, ita ut post patris obitum nullus lasciviæ locus in eo unquam fuerit inventus.*"

Otterbourne, who has preserved the incident of the tennis balls, (which, though Mr. Tyler is compelled to admit its probability, is yet a most improbable story, except on the supposition of Henry's notorious wildness), describes his conversion in the very same language as Walsingham.

Thomas de Elmham was chosen Prior of Lenton in the year 1414, and must, therefore, have been a man of mature age on Henry's accession to the throne. He, according to Mr. Tyler, is one of those writers who lived "near the time." His *Life and Exploits of Henry the Fifth*, is an exaggerated rhetorical eulogy throughout. He writes, he says, "Ne serenissimi et Christianissimi principis . . . magnanimitas principalis, regalis industria, et nobilitas militaris perennis soporis litargiâ, a luce memoriæ secludantur." In his preface he declares his intention—"Partim gesta præfati principis ab oblivionis tumultu suscitare, *pauca de juventutis lascivia primo interserens* (quæ tamen nullius momenti spatio magnanimitatis virtute carebat, et vix a guerrarum tumultu seu persecutione paternorum hostium respirabat).^{*} In describing Henry's behaviour while prince, a subject which he despatches in a few sentences, he says (p. 12), "Pro tempore juventutis lasciviæ æmulator assiduus, . . . laxo pudicitie freno, licet Martis, tamen Veneris, militia ferventer militans, ipsius facibus juveniliter æstuabat, *aliis quoque insolentiis, ætatis indomitæ tempora concomitantibus, inter proba gesta militaria vacare solebat.*" He expresses a doubt whether he is wise in even alluding to these things; but he says, "Idcirco vero tanguntur opinione scribentis, ut subitâ conversione tenebrarum in lucem, nebulæ in serenum, . . . futuris lectoribus gaudendi materiam subministret." So that, according to this contemporary writer, Henry does not make debauchery and riot his business, but engages in them in the intervals of his serious employments.

Fabian died in 1512, a century after Henry's accession, but as he most probably attained a much greater age than the king, it is not unlikely that his own memory reached back to within fifty years of Henry's death. He describes the banishing of his old companions, "after rewards to them given;"[†] and in this he is followed by Rastell's *Chronicles*.[‡] Of the later historians it is unnecessary to speak. Now, to all this

^{*} Hearne's edit. p. 2.

[†] Ellis's edit, p. 577.

[‡] Dibdin's edit. p. 247.

weight of testimony, Mr. Tyler opposes nothing whatever, beyond the address of the House of Commons (which, besides that it bears date seven years before his father's death, was meant to serve a political purpose, and was not very likely to interfere with the prince's private debaucheries, so long as he was active and energetic in the performance of his public duties); the testimony of Hotspur to Henry's warlike activity in Wales; and the verses of two poets whom he patronized. We cannot but marvel at the coolness of Mr. Tyler's assertion, that, in contemporary chroniclers there is not even an insinuation of any indiscretion; and, in the teeth of the direct assertion of Elmham, that there is not a word to induce us to suspect that anything wrong was kept back. Looking at the fact, that the contemporary writers are all, without exception, extremely meagre in their narratives; that the transactions alluded to formed no part of the history of a *reigning* monarch; that the splendour of the reign naturally rendered Henry's admirers unwilling to bring forward, ostentatiously and ungraciously, the follies of the boyhood; that one of the contemporary writers expressly assigns this reason for refraining from all details on the subject; that all the chroniclers mention the circumstance in general terms; that not a single fact can be brought forward inconsistent with this state of things: we do think we have all the evidence requisite to establish the early licentiousness of Henry, as a matter that, in the mind of a person of common candour, cannot admit of any doubt. The particulars are of course uncertain. The story of the Chief Justice stands on very doubtful authority, and Mr. Tyler's careful investigations have gone far to shake our faith in it, as it stands. Still, when we know that our earlier writers had access to many documents and sources of information not now known to us, we dare not wholly reject it, but must take it as a tradition, involving, at least, no improbability, and agreeing, so far as we know, with the characters both of the prince, and of the judges, of the period at which the scene is laid.

In conducting the investigation which has led our author to the extraordinary conclusion of Henry's youthful innocence, he was influenced, he tells us, by no partiality for Henry, but by a stern sense of justice. This makes the result the more remarkable, and it shows how completely a man may be blinded by pure love of truth; how grossly partial a man may become merely through impartiality. We wish our space allowed us to do full justice to our author's tenderness of heart, by permitting him to explain, in his own feeling phrases,

repeated without end, the principles which have actuated him throughout his whole work. We can only give one short specimen :—

“The author must not shrink from the task, though he enter upon it with a consciousness that, if established, the charge must brand Henry’s memory with indelible disgrace, whilst his acquittal may imply censure on his accuser. He feels, nevertheless, that only one course is open for him to pursue : he must follow up the enquiry fully, fearlessly, and impartially, whatever may be the result ; and whether he looks to Henry or his accuser, he must adhere rigidly to the golden maxim, ‘ Friends are dear, but truth is dearer ! ’”—Vol. ii. p. 89.

The constant recurrence of such sentences as this, together with a copious infusion of the words, “*unkind*,” “*unfeeling*,” “*harsh*,” “*fellow-creature*,” and so on, firmly convinced us for a time that there never was a writer so full of tenderness, or inspired with such a feeling distaste for everything unkind, harsh, or severe. We shall have an opportunity of seeing whether Mr. Tyler holds out in this strain to the end.

We should like to say a word or two on another notion of Mr. Tyler’s, charitably adopted by him, with the same beautiful disregard of evidence ; namely, that Henry was almost a Protestant ; because he never prays to the Blessed Virgin, or the saints, or returns thanks to them for his victories.* Upon this point we beg to ask him, what he thinks of the legacy in Henry’s will (a document quoted by Mr. Tyler), where he leaves certain sums to poor people to pray for his soul, adding at the end of their prayers in the vulgar tongue—our flesh creeps while we write the words—“*Mater Dei Maria, memento famuli tui Henrici, qui totam spem in te posuit.*”†

Such is the kind of evidence against which our author is capable of straining a point to shield innocence from calumny, or, at least, what he conceives to be such. But suppose it should turn out after all, that this is merely cant !—that our author is one of those who uses two weights and two measures, one for his friends, and one for his enemies ! We shall see. Meanwhile we proceed to more serious matters.

It would appear somewhat strange, that so few of our historians have been able to seize hold of the principle enounced by a great writer of modern times—himself no Catholic—that

* Vol. ii. pp. 39, 111, 291.

† For further evidence on the same subject, we beg to refer Mr. Tyler to Tit. Liv. 9 a, 11 a. Elmham. cc. 27 and 32. 3 Wilk. Concil. 241, 352. Lyndw. Provinciale, lib. ii. tit. 3. Walsingham, 426. 9 Rymer, 584, 616, 685. Rous. Hist. Reg. Angl. (Hearne’s Edit.) pp. 208-9. Blomefield’s Norfolk, vol. iv. p. 347.

the cardinal point of all history, is Faith ; that the grand inquiry of all history, is as to the ebb and flow of Faith ; and that every other inquiry is subordinate to this. What was men's belief as to the matters of spiritual life ? Was it strong or weak ? Was it real or hollow ? Was the supremacy of the supernatural over the natural, an acknowledged fact, or the reverse ? What direction is the stream of faith taking ? Is it ebbing or flowing, waxing or waning ? Instead of all this, the main inquiry of our historians has been into the outward garb and fashion of society, and its spiritual history has been treated of as a subordinate branch of the subject. Protestant as our historians are for the most part, they need not have made the history of religion in Europe such a pitiful matter as it comes to in their hands. They see in it nothing but a tale of the ambition of popes, the jugglery and mountebankism of priests, the deception and degradation of the people. Alas for those who see nothing but these things, in the noblest scenes with which the history of the world has been enriched ! Alas for those whose eyes are blinded to the deep spiritual worth, which has ennobled the history of Catholic Christianity, in the lives of its saints and martyrs, to the solemn and devout character which the supremacy of Catholicism has shed over the wildest times !

“ Slowly,” says Mr. Hallam, speaking on this subject, “ like the retreat of waters, or the stealthy pace of old age, that extraordinary power over human opinion, has been subsiding for five centuries.” Slowly, we would rather say, has been subsiding for five centuries, that extraordinary faith and trust in spiritual things, which the zealous and saintly labours of Catholic bishops and priests had breathed into the souls of pagans and barbarians. The noble structure which they had been centuries in bringing to maturity, was not doomed to pass away, even in part, except by slow and imperceptible degrees. From an epoch, of which the second crusade and the life of St. Bernard may be taken as the prominent points, down to the French revolution and the end of the eighteenth century, the waters of faith may be said to have been retreating. In the former epoch, was most firmly established the empire of the spiritual life over the material. In the latter, so far as such a consummation is possible, was established the inferiority or worthlessness of the spiritual, and the empire of the material or civil life. From the death of Christ to the former of these two epochs, the history of Europe is a history of conquests made by the spiritual principle over the material,

its gradual absorption and annihilation of whatever viler matter came within the sphere of its influence. From the twelfth century downwards, the history of Europe (with some most important exceptions, no doubt), is a history of losses sustained by the spiritual kingdom, of triumphs gained by scepticism and materialism. And this strange transition naturally has many phases. For when a nation, or a whole continent, becomes imbued with a deep, vital, religious principle of any kind, it is not at once that the whole worth of it is developed. It has its various epochs, when one after another it sends forth from its fruitful womb, treasures of which, from the beginning, it contained the germs, though it was not for any one generation to behold them all attain their full development. And, as in the vegetable world, when the sap is rising in the spring, the change is inward, and little meets the eye to tell of the renovation that is being accomplished, and it is not till the tree is full of sap, that the first visible change appears, and as the sap dries up, each successive outward manifestation becomes more beautiful and precious than the preceding,—first leaves, then flowers, and lastly fruit; so in the moral world, a nation, or a continent of nations, becomes gradually penetrated with some vital principle of faith; and when this principle has attained its height, and has filled every corner, it then first breaks out in outward expression. And as the principle itself becomes weaker, it often happens that its various manifestations become more and more beautiful, and the historian has the pleasing but melancholy task of recording at once the splendid evidences of life, and the slow but irresistible progress of decay. In accordance with this view of the subject, the history of modern Europe, and of this second lamentable transition, may perhaps be further subdivided, with a sufficient approach to accuracy, into two epochs also. The first, containing the predominance of the spiritual principle, with the various eras in life and art of which it was the parent; the age of the holy wars, in which it had to support itself by arms against armed aggressions from without; the age of the founding of monasteries; the age of church architecture; and lastly, when the principle of decay is most clearly visible, in John Wickliffe and John Ball, the magnificent age of chivalry and poetry, ending in the foppery and extravagance of the latter years of Edward III, and the first years of Richard II. The second of these two subordinate epochs comprehends the predominance of the material principle, under the guise of nationalism; nations becoming isolated from each other, the

relations of man to his nation becoming stronger than his relations to the Church, the subordination of the ecclesiastical to the civil, the nationalizing of religion, act of parliament reformed Churches, Gallican liberties, and so forth. And this epoch, too, in our country, has its commencement in war,—the wars of the Roses for the crown of England; then the baleful domination of the Tudors, ending in the entire extinction of spiritual life, and the uncontrolled despotism of the civil power, in the times which are but just beginning to pass away. Midway between these two periods, or rather perhaps at the commencement of the second of them, stands the reign of Henry V, a reign in which we seem to see the former productiveness, in a manner, extinct, and at an end; in which the evils of the latter epoch are visible in part, but still chiefly in their seeds, and not yet very distinctly and prominently; in which the old state of things is striving to maintain itself, and strives successfully up to the period of the civil wars. It is in this way, we think, that the reign and the character of Henry and his contemporaries ought to be examined. His reign is the point of repose between two epochs. Old things still remain in great outward appearance of vigour, but ready to pass away. New things have not yet made themselves distinctly visible, but the seeds of them are there, and are taking root. Spiritualism and nationalism, here for a moment meet in friendliness, seeking aid from each other, neither of them wholly subordinate, neither of them wholly triumphant. The King has a lame title to strengthen, the national Church has heretics to combat, the Pope has a long and deadly schism to heal. These three powers, having thus need of mutual good offices, for a time maintain a friendly equilibrium.

We know well, that this general statement is only true generally, and would require much modification if we descended to details. No one can compare the character of society in the reign of Henry V with that under Edward III, without feeling himself in a different moral atmosphere altogether. The gay, joyous, elastic spirit of chivalry has, in a great degree, passed away. It is obvious, that in war the spontaneousness (so to speak) of society, is giving way to the restraint of stern outward regulation. We no longer read of incidents like that described by Froissart, in his thirty-sixth chapter:—

“In the firste weke that the Frenche kyng was thus defyed, Sir Walter Manny, assone as he knewe it, he gate to hym a xl. speres, and rode through Brabant nyght and day, tyll he came into Heynalt, and entred into the wode of Blaton, as than nat knowing what

he shulde do; but he had shewed to some of them that were moost privyest about hym, how he had promysed before ladyes and damosselles, or he came out of Englande, that he wolde be the first that shulde enter into Fraunce, and to gete other towne or castell, and to do some dedes of armes; and than his entent was to ryde to Mortaigne, and to gete it if he might, &c.”*

In the earlier pages of Froissart, more especially, Western Europe seems like one great republic of homogeneous societies, governed by the same customs, inspired by the same principles, while the divisions of nations are comparatively faint and superficial. The historian conducts his reader from Spain to Gascony, from Gascony to France, from France to Hainault, Brabant, and Flanders, thence to England, and thence to Scotland; and one seems to feel that all these are provinces of one country, and that the historian is a denizen of each. The chasms which divide country from country are now becoming wider and deeper. We do not, at the later period of which we are treating, hear of a prince joining a league of monarchs against a common enemy, fighting with them up to a certain geographical boundary, and then without being suspected of breach of faith, leaving his first allies to join his original antagonist.† In the pages of Froissart, one feels that no cold, settled policy, but a spirit that delights in gallant enterprises, urges on the warriors and animates them in the combat. We see the banners and pennons floating in air, we hear the sound of the trumpets, the war cries of the knights, Manny and Chandos, St. George and St. Denis,—and we think little of the political reasons of the war, and trouble ourselves not much with protocols and the documents in state archives. Not that people did then absolutely go to war without a reason, any more than they do now; but that the spirit of the age, had in it much less of that slow, dark, farseeing, pertinacious statecraft, which, under Louis XI, Henry VII, Philip II, the Cecils, and Catherine de' Medicis, distinguished later times. In the reign of Henry V, this latter state of things is beginning to be visible. Nationalism, in all its shapes, with its good and its evil, is rising into power. And hence, not only elsewhere, but over the wars also of Europe, the leaden sceptre of policy has begun to cast its gloomy and mournful shade.

As whatever causes and principles deeply agitate society, must be most strongly discernible in the Church, because the

* Lord Berner's Translation.

† Berner's Froissart, cap. 38. “The yonge erle of Namure.”

Church is the deepest and widest of all things upon earth, so in the Church this rise of nationalism is most obvious, even to a superficial eye, and most necessary to be considered, if we would form a right estimate of the times. It is on this particular department of the subject that we felt most curiosity as to the tone and temper of Mr. Tyler, because we were sure of what the result of his investigations must be, if, only in a very moderate degree, he put in practice his own reiterated canons of moral and historical criticism. How our curiosity was repaid we shall soon give our readers the means of judging.

“The enormities which had grown up [in the Church], and which were defended and cherished by the agents of Rome, far exceed both in number and magnitude, the present general opinion with regard to those times. The conventual system* had well nigh destroyed the efficiency of parochial ministrations: what was intended for the support of the pastor, was withdrawn to uphold the dignity and luxury of the monastery; parsonage-houses were left to fall to decay, and hirelings, of a very inferior class, were employed, on a miserable pittance, to discharge their perfunctory duties as they might. ‘Provisions’ from Rome had exempted so large a portion of the spirituality from episcopal jurisdiction, that even had all the bishops been appointed on the principle of professional excellence, their power of restoring discipline would have been lamentably deficient. But in their appointment was evinced the most reckless prostitution of their most sacred order. Not only was the selection of bishops made without reference to personal merit and individual fitness, whilst regard was had chiefly to high connexions and the influence of the papacy; but even children were made bishops, and the richest dignities of the Church were heaped upon them: foreigners, unacquainted with the language of the people, were thrust into offices, for the due discharge of the duties of which a knowledge of the vernacular language was absolutely necessary. The courts ecclesiastical ground down the clergy by shameless extortions, whilst appeals to Rome put a complete bar against any suit for justice. Their luxury and excesses, their pride and overbearing presumption, their devotedness to secular pursuits, their rapacious aggrandizement of themselves and their connexions, and the total abandonment of their spiritual duties in the cure of souls, coupled with an ignorance almost incredible, had brought the large body of the clergy into great disrepute, and had filled sincere Christians (whether lay or clerical, for there were many exceptions among the clergy themselves) with an ardent longing for a thorough and efficient reformation. . . . Even in points of faith, we perceive in many,

* Note by Mr. Tyler. “By a statute (4 Hen. IV, 1402) after the legislature had complained that the convents put monks, and canons, and secular chaplains into the parochial ministry, by no means fit for the cure of souls, it is enacted, that a vicar adequately endowed should be every where instituted; and in default of such reformation, that the licence of appropriation should be forfeited.”

clear signs of a genuine love of evangelical and catholic truth, among whom we are not without evidence sufficient to justify us in numbering the subject of these memoirs.—vol. ii. pp. 36-7.

“For a knowledge of the degraded state to which the Church had sunk, we are not left to the vague representations of declaimers, or the heated exaggerations of those by whom every thing savouring of Rome is held in abomination. The preambles of the laws which were intended to cure the evils, bear the most direct and full evidence of their existence and extent. One parliamentary document, after prefacing that ‘Benefices were founded for the honour of God, the good of the founders, the government and relief of the parishioners, and the advancement of the clergy,’ then states, ‘that the spiritual patrons, the regular clergy throughout the whole realm, mischievously appropriate to themselves the said benefices, and lamentably cast to the ground the houses and buildings, and cruelly take away and destroy divine service, hospitality, and other works of charity, which used to be performed in the said benefices to the poor and distressed; that they exclude and even debar the clergyman from promotion, and privately convey the treasure of the realm in great sums to the court of Rome, to the great confusion of their own souls, the grievous desolation of the parishioners and the whole country, the ultimate ruin of the clergy, the great impoverishment of the realm, and the irrecoverable ruin of the holy Church of England.’”*

Mr. Tyler, in judging of Henry’s character, is fully alive to the fact that self-condemnation is no proof of extreme guilt, but rather of extreme zeal against guilt. We would suggest to him, that the very same remark applies to a company of men, or an age. It is not the self-condemning ages that are the worst, but the self-applauding. The age is only just elapsed which was perpetually extolling itself as the most enlightened and wise, and which all men now know to have been immersed in the densest spiritual darkness, and to have been wandering without guidance in the mazes of a most despicable folly. If, then, in the age of which we are speaking, we find a hearty condemnation and denunciation of evil, these are proofs, on one side at least, of a hearty zeal against evil; and evil we know has existed in every age. Let us now proceed to Mr. Tyler.

It is rather amusing to observe, that the great evidence of abuse, is drawn from the efforts to rectify abuses, which is itself a proof of a certain degree of soundness and health. But when Mr. Tyler tells us, that “we are not left to the vague representations of declaimers,” it is right we should know what the dispositions of the House of Commons then were

* And see the remainder of this chapter on the state of the Church.

towards the clergy. It is not a matter of doubt, but of actual certainty, that at this time the gentry were beginning to cherish those feelings of envy towards the wealthy Church, which, in little more than a century, led to the scenes of sacrilegious rapine and plunder which are known by the name of the Reformation; and the last parliament of Henry IV, we are told by Walsingham, actually submitted to the crown a scheme for supplying the necessities of the State out of the funds of the Church. As to the kind of weight to be attributed to the vague declamation of the preambles of some of our old laws, we can give a striking instance in point. The celebrated statute of Provisors (25 Edw. III, c. 4) recites, that "the Pope of Rome, accroaching to him the seigniories of such possessions and benefices, doth give the same benefices to aliens, which did never dwell in England, and to cardinals which might not dwell here, and to other, as well aliens as denizens, as if he had been patron or advowee of the said dignities, &c. whereby if they should be suffered, there should scarcely be any benefice within a short time in the said realm but it should be in the hands of aliens and denizens by virtue of such provisions, against the good will and disposition of the founders of the same;" and then follows a picture of imaginary horrors that *might* happen. And about this period* we observe in the proceedings of the legislature a great dread of alien priests. Writers like Mr. Tyler may attribute this to the number of alien priests: we attribute it to the growing spirit of nationalism. The reader will soon judge whether we are right.—Only eight years before this statute of Edward III, namely, in the seventeenth year of his reign, we find in Thorpe's *Registrum Roffense*,† a writ directed to the Bishop of Rochester, enjoining him to make a return of the number of beneficed aliens within his diocese, with the names of their benefices, stating whether the alien was resident or not. The bishop's return states, that Lewisham and East Greenwich were appropriated to an alien abbey, and that friar William Sergotz resided on behalf of the abbey; Peter de Boyleau had the vicarage of Eltham, and resided there. To the priory of Bermondsey were appropriated the churches of Cobham, Shorne, and Berlynge, and in these there was no resident priest. "*There are no other aliens having benefices in our diocese that we know of,*" adds the bishop. This return seems to have been unsatisfactory, for three years afterwards,‡ we

* 3 Ric. II, c. 3. 7 Ric. II, c. 12. 1 Hen. V, c. 7.

† Page 126. ‡ Ib. p. 127.

find a similar writ with a similar return, except that no mention is made of William Sergotz; and the value of the churches is stated to be, respectively, 20 marks, 20 marks, 100 solidi, 30 marks, 36 marks, and 10 pounds sterling. The bishop really could find no more aliens. This may serve to show the value of the vague declamations of the legislature at this time, as historical evidence.*

But it would be difficult for all Mr. Tyler's charges to be true. He has two great bugbears,—the monks and the pope. It is difficult to say which of the two, this candid man hates most cordially. Accordingly, after telling us that the efficiency of the parochial clergy had been well-nigh destroyed by the monks, and giving us an appalling picture (from the act) of parsonage houses toppling down, and famished curates doing the business of sleek well-fed rectors (two abuses peculiar to the middle ages), we find in the very next sentence, that this is all a mistake, and that the great mass of benefices were filled up not by the monks but by the popes. It is certainly well to have two strings to your bow, and Mr. Tyler, anxious to prove something, doubtless considers it better to prove too much, than not to prove enough. The truth is, the whole charge is absurd. It is not true that the efficiency of parochial ministrations had been well-nigh destroyed at all, still less is it true that it had been destroyed first by the monks, and then by the popes. It is true there were abuses, which parliament was eager enough to point out, and which the clergy were zealous enough to reform. But it is not true, that, because there were abuses, therefore everything was abuse, or abuse was the rule and good order the exception.

Again; as many benefices as Mr. Tyler pleases to assert, may have been filled up by papal provision, but we have yet to learn that the incumbents, when so provided, were on that account "exempt from episcopal jurisdiction." In this case, as well as in the instance of appropriations, to which we shall return in a future page, the evil—if evil it were—had been abated. The crown, as Dr. Lingard justly remarks, had gained a complete victory over Rome in the matter of provisions. But whether the victory were productive of good or evil may well be doubted. Mr. Tyler eulogises his favourite

A striking instance of the looseness with which Parliament formed its calculations about this period, is given by Dr. Lingard, "*Hist. of England*," vol. iv. p. 132, last edit. The Parliament had granted a supply, which was estimated on the supposition that the number of parishes in England was forty-five thousand, but on examination it was found that there were not many more than eight thousand six hundred.

University of Oxford, as zealous in the work of reformation, and boasts of the address to Henry on that subject, and of the congeniality between his favourite University and his favourite king. We assure him there is another address on record from the same University, in which the evil consequences of the abolition of the papal provisions is most pathetically stated. Dr. Lingard has already quoted it; but if, to abuse the Church of God, it is lawful to practise the *suggestio falsi*, we suppose there is little harm in the twin device of *suppressio veri*.

In the year 1399, then,* in the reign of Henry IV, the two Universities, "magistri regentes et non regentes, ac cæteri scholares," present an address to the convocation, in which they state that the Universities were founded to the end that persons studying in them the divine and the canon law, and other liberal sciences, might be advanced to elective as well as other ecclesiastical appointments, "sufficienti doctrina eruditi;" and they say that this end had in times past been attained by means of the papal provisions, under which learned men of the Universities had been liberally promoted, until the time of the statutes against provisors; but that now, though the enforcement of these statutes has been somewhat mitigated, the number of students is rapidly diminishing, and it is not doubted but that the Universities will soon come to ruin, unless a proper remedy be speedily applied. Accordingly we find Archbishop Arundel shortly afterwards issuing a monition to Merton College,† in which he complains that many of the fellows who have for years been nourished there, now "retrospicientes, vitamque laicalem eligentes, uxores ducunt." The Archbishop requires them to take orders under pain of expulsion. "The evil," says Dr. Lingard,‡ "continued to increase. Sixteen years later it attracted the notice of the Commons; who to preserve the Universities from utter destruction, petitioned the king, that the statutes against provisors might be repealed, or an adequate remedy might be provided."

Such seems to have been the effect of restricting the free exercise of ecclesiastical power, of one grand step towards bringing the Church under subjection to the state. The lay patrons used their power to a worse result than the foreign spiritual patron.

But whether the monks had all the benefices in their hands, or the pope, or both of them, or neither, whatever was the case as to the power of nominating to ecclesiastical appoint-

* 3 Wilkins p. 242.

† 3 Wilkins p. 264.

‡ Vol. v. p. 54; Rot. Parl. iv. 81.

ments, it seems the bishops were such tools of the Pope, that there was no hope of a restoration of discipline. "Reckless prostitution in their appointment," no "regard to personal fitness," but "to high connexions and the interests of the papacy;" "children made bishops," and loaded with Church dignities; such Mr. Tyler would have us believe are not occasional exceptions, but the regular habitual state of things. As to appointing *children* bishops, there is no instance of this in the immediate reign of Henry V; we do not recollect an instance in the years immediately adjoining; and we suspect that Mr. Tyler is merely copying Dr. Ullerstone, who says vaguely that even children had been made bishops, but does not tell us (we believe) whether it was under Henry V or Henry I.

We have already stated that in the beginning of the fifteenth century the Church was losing its old character of opponent to the state:—that Church and state, menaced by enemies who were at once rebels and heretics, in great measure threw aside old animosities, and were leaning for support on each other:—that the Church, as a necessary consequence, was being swallowed up in the preponderant power of the state:—that the principles of Nationalism were beginning to spread most rapidly throughout the Church. It is obvious that either Mr. Tyler's representation or ours, is wrong. To clear this point up, let us do what Mr. Tyler professes to do, but does not—let us avoid vague statements, and come to facts. Mr. Tyler's charge is, that as a general rule, persons notoriously unfitted for their duties, were made bishops, and were appointed from the corrupt influence of the Holy See. We deny both points of this assertion.

One of the usual Protestant—we must not say *frauds*, but—*ingenuities* on this subject, is to make a great outcry against an appointment, whenever the form of it appears to have been by papal provision. The appointment of English bishops in the beginning of the fifteenth century was the result of a compromise between conflicting pretensions. Accordingly the form of appointment partook, as we might expect, of the nature of the compromise. Three parties had claims to the appointment; the king, the chapter or monastery, and the pope. First of all, the king gives "*licentiam eligendi*," a *congé d'élire*, to the chapter or the monks. The chapter elect a person not likely to be disagreeable to either king or pope. The king allows the election. The matter is then referred to the pope, who approving of it, does not confirm the election, but setting

it aside, invests the bishop elect, by a bull of provision, with the spiritual dignity and the temporalities attached to it. The papal bull of provision is received in this country; the king does not recognize the papal right to confer an investiture of the temporalities, of which he has the possession from the death of the last bishop; and finally, on the renunciation by the bishop elect of every thing in the bull contrary to law and the rights of the crown, the king issues his warrant to restore him the temporalities. In one of the first appointments of the reign, that of Chicheley to the archbishopric of Canterbury, we see these very steps. On Arundel's death, the prior and monks of Canterbury elect Chicheley, and request the king's assent. Henry writes to the pope begging him to confirm the election.* The pope, instead of confirming the election, which would have implied a renunciation of his claims, appoints Chicheley by a bull of provision. Chicheley accepts the bull, and renouncing everything in it that was contrary to law, obtains a restitution of the temporalities of his see.† From a transaction like this, it is impossible to tell in whose hands the real power is vested. Forms, we all know, survive long after the reality has vanished. A *congé d'élire* may be, but we believe is not always, a full permission to elect whomsoever the elector pleases. However, as the documents themselves throw such a very doubtful light on the matter, it seems desirable to endeavour to procure more authentic intelligence.

In examining the list of bishops for the reign of Henry V, we find the names of eighteen persons raised to the episcopal bench or translated. They are as follows:—

Barrow, William. Doctor of laws and canon of Lincoln. Appointed by papal bull. (Godwin, *De Præsulibus Angliæ*.)

Chaundler, John. Dean of Salisbury (9 Rymer, 539); freely chosen by the chapter, there being then no pope. (Godwin).

Chicheley, John. Translated from St. David's. Before his translation he was employed as ambassador in all the French negotiations.

Courtney, Richard. A personal friend of the king. (Tyler, vol. ii. p. 147). Ambassador to France in 1414. (9 Rymer, 151, 189-90). Accompanied Henry to France, where he died.

Fleming, Richard, D.D. Employed by Henry in the court of Rome, in 1419; (9 Rymer, 806, 864; 10 Rymer, 161), and also after being made bishop.

Heyworth, William. Abbot of St. Alban's. (Godwin).

* 9 Rymer, p. 119.

† Ibid. p. 131. See also *ibid.* pp. 321, 337, 354, &c.

Kemp, John. Employed in negotiations with Aragon and France; in treating for the capitulation of French towns; and for the marriage of Henry with Katherine. (9 Rymer, pp. 294-5, 496, 517, 735-6).

Ketterich, John. Proctor of Henry at the court of Rome. (9 Rymer, p. 12). And afterwards in the king's service at Constance. (Godwin).

Lacy, Edmund. Professor of Divinity; Dean of the king's chapel. (9 Rymer, pp. 422, 450). Employed in state affairs. (10 Rymer, p. 115).

Langdon, John.

Morgan, Philip. Continually employed by the king in negotiations, and attends the army in France. (9 Rymer, pp. 141-2, 187, 221, 436, 517, 571, 774, 808).

Nicols, Benedict. The king's chaplain. (2 Tyler, p. 149).

Patryngton, Stephen. The king's confessor. (9 Rymer, p. 72.)

Polton, Thomas. Dean of York; king's proctor at the court of Rome. Employed by the king at the council of Constance. (Godwin. 9 Rymer, pp. 138, 371, 447, 567).

Spofford, Thomas. Abbot of St. Mary's, York. Ambassador at Constance. (9 Rymer, pp. 162, 9).

Wakering, John. Keeper of the privy seal. Archdeacon of Canterbury. (9 Rymer, pp. 154, 285, 321, 337, 354).

Ware, Henry. King's commissioner to grant safe conducts, and to receive the oaths of the Duke of Burgundy. Keeper of the privy seal. (9 Rymer pp. 151, 394, 587).

Whelpdale, Roger. Master of Queen's College, Oxford. (Godwin).

Thus, we see, that out of the eighteen, there are only five who were not employed immediately about the King's person, or else in important state affairs. So much as to the influence under which they were appointed. Then as to the character of the men. Let us take Protestant authority and hear what is said, not only of the bishops who were appointed under Henry V, but of those who were on the episcopal bench at the time of his accession to the throne. We have been able to find none to correspond in any way to Mr. Tyler's description, except perhaps the celebrated Cardinal Beaufort, the King's uncle; and even of him we are told, that "however inattentive he might have been to the welfare of his diocese, in the earlier part of his government, towards the latter end of his life his whole thoughts seemed bent towards that end."* Kemp,

* Dugdale's "Monasticon," by Ellis.

Bishop of Rochester, London, and Chichester, and afterwards, Archbishop of York, being employed very deeply in state affairs, we are told, left the affairs of his province of York in great confusion. (Godwin.) For the rest we find praise and eulogy.

Fleming, Bishop of Lincoln, and his brother, Dean of Lincoln, "Viri doctrinâ ac eruditione insignes." (Godwin, p. 287.)

Lacy of Exeter. "Magnâ vir pietate." (Ib. p. 413.)

Courtney of Norwich. "Vir eruditione eximiâ, morum sanctitate." (Ib. p. 438.)

Wakering of Norwich. "Diocesim, novem per annos, prudentiâ ac moderationis magnâ cum laude gubernasset. Courtneio ob eruditionem, prudentiam cæterasque animi virtutes haudquaquam postponendus." (Ib. pp. 438-9.) "He bears the character of a religious, modest, chaste, generous, and obliging gentleman." (Dart's *Cant. Cathedral*, p. 196. See also Blomefield's *Norfolk*.)

Langdon of Rochester. "Ita feliciter in omni literarum genere adhuc adolescens se exercuit. . . . ut inde non infima laus illi accreverit." (Godwin.) "An able historian," (Dugdale's *Monasticon*, vol. iv. p. 405.)

Patryngton of Chichester. "Homo doctissimus," from Walsingham. (Godwin.)

Whelpdale of Carlisle. "Opuscula scripsit non pauca." (Ib.)

Arundel, Archbishop of Canterbury. "Antistes procul dubio egregius, vir sapiens et magno satis animo præditus." (Ib.) "As a churchman, he was of great learning, and very circumspect, and indefatigable in the exercise of his archiepiscopal functions." (Dart, p. 158.)

Clifford of London. Ambassador to Constance, took a leading part, and was the first to name Martin V pope. "He was a man endowed with great wisdom and probity, for which he was beloved both by the prince and people. . . . He gave 1,000 marks to the poor scholars of Burnel's Inn, in Oxford." (Newcourt's *Repertorium*, vol. i. p. 21.) He was confessor to Richard II, and so highly esteemed, that the parliament in 1401 twice petitioned Henry IV to assent to his being made Bishop of Bath by papal provision. "He was esteemed a very wise and learned man." (Dart's *Canterbury Cathed.* p. 195.)

Repyngdon of Lincoln. "Vir (ut illa ferebant tempora) egregie eruditus: doctrinæ Wiclefiane propugnator aliquamdiu acerrimus; in corruptelas pontificias vehementer invehebatur. (Godwin.)

Burghil of Coventry & Lich. Chaplain to Richard II. (Ib.)

Bubwith of Bath and Wells. "Alit hodie viginti et quatuor egenos homines; partim viros, partim mulieres. . . . Bibliothecam pulcherrimam construxit. . . . Creditur porro magnam pecuniam eum elargitum ad structuram campanilis, etc." (Ib.)

Stafford of Exeter. "Numero sociorum in collegio Exoniensi, duos novos adjecit, et prædia contulit quibus alerentur. (Ib.)

Chicheley of Canterbury. "He had a true judgment and firm courage, with a generous temper, and was a great patron and promoter of learning. He despised wealth, and was free from aspiring, and asserted the rights of the crown, and the liberties of this church against papal usurpation. (*Translator of Duck's Life of Chicheley. Dedication to Archbishop Tenison.*)

Peverel of Worcester. "Opuscula edidit non pauca." (Godwin.) "He repaired the manor-houses of his bishoprick." (Dugdale's *Monasticon*.)

Mascall of Hereford. "Totum ad literas animum convertens Oxonium se contulit: ibique Aristotele præceptore aliquandiu usus, ad sacrosanctæ theologiæ studia, tanquam ad perennem divinæ scientiæ fontem properabat. Pervenit tandem quo voluit, nempe ad genuinam, sinceram ac rectam (ut putabat) Evangelicæ doctrinæ cognitionem. Deinde omnes vitæ suæ actus ita temperavit, ut acceptis Christi præceptis (quantum permittebat humana fragilitas) velle respondere videretur, etc." (Godwin.)

Langley of Durham. Chancellor and cardinal. "Libras plus minus quingentas hic impendit in restauratione Galilææ, in occidentali parte ecclesiæ Dunelmensis, etc. Duas etiam scholas fundavit." (Ib.)

Heyworth of Coventry and Lichfield. "Vir fuit suis in temporibus tam Deo delectus, quam hominibus, etc.; quia pastor effectus, et pastoris baculum in manu suâ in gregis tuitionem deferens, pastoraliter satis lupos fugaverat a caulis, ovesque, quæsivit diligenter errantes, ac inventas rursus reduxit in humeris suis." (Dugdale's *Monasticon*. See *St. Alban's*.)

We are then told that the extent of the abuse in this country—"a state of things which naturally indisposed the pope towards any change for the better—may be inferred from two facts; that he (in defiance of the statutes of Edward III and Richard II) had by his own authority created thirteen bishops in the province of Canterbury in two years; and had

appointed his nephew Prospero Colonna, a boy of only fourteen years of age, Archdeacon of Canterbury, with fourteen benefices in England." Let us first tie the author down to time. He is speaking of an event which took place in the year 1419, and he says that *at that time* the pope was indisposed, &c. because he *had* created, &c. The two years must then be anterior to 1419. Further, the pope did these wicked things in defiance of the statutes of Edward III and Richard II. The date of the latter acts referred to is about 1390. Therefore the wholesale creation specified, must have been somewhere between 1390 and 1419. Now it is a remarkable fact that between 1390 and 1419, no two successive years can be pointed out in which thirteen bishops were appointed by any one, either pope or king.

The two successive years in which there was the largest creation of bishops, are the years 1407 and 1408, in which there were ten appointments. In 1395-6 there were nine or ten appointments; in 1419-20, eight; in 1404-5, seven; in 1418-19, seven; in 1417-18, six, and so on. But in none do we find thirteen.

Whether Mr. Tyler has been on this occasion copying *Duck's Life of Archbishop Chicheley*, we cannot tell; but we there read (p. 90) that Martin V, "within two years' time, made thirteen bishops in the province of Canterbury; taking his opportunity while the king was engaged in the war with France, to venture upon an action which Edward III and Richard II had prohibited by most severe laws." This at once confines the question to the period between the latter end of 1417 and September 1422; within which years the number of episcopal appointments in the province of Canterbury was as follows.

1417—4	1419—5	1421—3
1418—2	1420—3	1422—1

In the year 1418-1422 inclusive, there were fifteen new creations or translations, in the episcopal bench, in the provinces of Canterbury and York.

Fleming,	Lincoln	Ware,	} Chichester.
Heyworth,	Coventry & Lichfield.	Kemp & Polton,	
Kemp,	London.	Kemp & Langdon,	} Rochester
Ketterich,	} Exeter.	Barrow,	
Lacy,			Bangor.
Morgan,	Worcester.		
Polton & Spofford,	} Hereford.	Whelpdale,	Carlisle.

Of these fifteen appointments, it may be seen from our former list, *eleven* are of persons in the employment of Henry ; and it is therefore absurd to talk of them as nominees of the pope. Of the remaining four, Heyworth, Bishop of Coventry and Lichfield, is described as beloved of God and man, and a true shepherd of his flock ; Langdon of Rochester, as a man of great learning from his youth up, and an able historian ; Whelpdale of Carlisle was a man of erudition and the author of several works ; Barrow, Bishop of Bangor, is the fourth and last. Whether these four appointments were made by the pope of his own authority, neither we nor Mr. Tyler know certainly. Does Mr. Tyler think that for those "*dark ages*," they are appointments that any Catholic has to blush at ?

But then, says Mr. Tyler, look at this fact as a specimen of the abuses of the times ; " the pope had appointed his nephew, Prospero Colonna, a boy of only fourteen years of age, Archdeacon of Canterbury, with fourteen benefices in England." One naturally feels a difficulty in contradicting a statement for which no authority is given, because it may rest on evidence that has been overlooked. However, in this case, we think we have not far to go. The conclusion of the sentence we have just quoted from Duck's *Life*, about the thirteen bishops in two years, is as follows :—" he also made his nephew, &c. archdeacon, &c., to whom some years after, to gratify the pope, the king granted the profits of as many benefices in England as did not exceed fifty marks yearly." Now, it will be observed first of all, that Mr. Tyler is not borne out by Mr. Duck, (if that be his authority,) as to the fourteen benefices, nor as to the pope appointing to any benefices whatever. Mr. Duck says, the *king* granted, &c. to gratify the pope ; a most material distinction, where the case is brought forward as evidence of a systematic appointment by the pope, on his own authority. For that part of the story we daresay Mr. Tyler has some other evidence, though we confess we know not what. In the next place, if we take the concurrent testimony of several Protestant writers, Mr. Duck is not borne out by the fact ; for in both Hasted's *Kent*,* and Somner's *Antiquities of Canterbury*, by Batteley,† it is stated, as indeed the fact is, not that the king granted Colonna " the profits of as many benefices in England as did not exceed fifty marks," but " granted him to enjoy as many, &c. ;" that is, gave him license to receive from the pope a grant of as many benefices

* Vol. iv. p. 784.

† Part I. p. 161 ; Part II. p. 157.

as did not exceed that sum : in other words, dispensed with the statutes of provisors to that extent. Thirdly, it does not even appear, that under this licence, the pope conferred any appointment on his nephew whatever ; for Mr. Hasted and Mr. Somner continue as follows : “ *But he seems to have fallen short of the benefit of this grant, which might be occasioned partly by the sudden death of the pope, &c.*” We may mention, that Dart* records the appointment of Colonna, but says nothing whatever about the fourteen benefices. Fourthly and lastly, Dart, Hasted, and Somner, all mention this as a special and very remarkable case, which was not allowed without the strongest precautions against its being drawn into a precedent. “ As he could not be capable of this dignity, by the laws of the realm, being an alien, the pope so far prevailed on the king, that he was, by royal indulgence, made a denizen, and capable of the same ; but so, that the pope should by his bull, in express words, give way to the patron, freely to confer it afterwards, as it should fall void, and that this indulgence should not be drawn into an example.”

Mr. Tyler's assertion, that the first blow to this growing usurpation was given by the chapter of York, in the case of Fleming, Bishop of Lincoln, in the beginning of Henry VI, is monstrous. The statutes of provisors had been passed thirty or forty years before, and had given such a blow, to use Mr. Tyler's language, that the whole current of ecclesiastical appointments had been turned, as we have seen, into a new channel, even to the threatened annihilation of the Universities. Mr. Tyler himself gives an instance (vol. ii. p. 43, n.), that occurred eighteen years previously ; viz. Hallam, Bishop of Salisbury, “ appointed by the pope to the archbishopric of York ; to which appointment the king objected. The nomination of the pope was not persisted in, and Hallam was consecrated Bishop of Salisbury.” Mr. Tyler also gives a case (vol. ii. pp. 44-5) from the year books, (sixteen years before Fleming's case) the whole tenor of which completely disproves the above assertion.

So much as to the episcopal order in England in the beginning of the fifteenth century. The growing evil of the times was not subserviency to the pope,—but, we repeat it, subserviency to the king, the weakening of the bonds which held men to the church, and the strengthening of those which kept them organized in a merely political or civil life. In the

* “ History of Canterbury Cathedral,” p. 195.

persons of the bishops, the Church in England was becoming the slave and adulator of the crown, not the willing tool of the Court of Rome. The tone of some of the bishops, in their addresses to Henry, points the way,—afar off, it is true, but yet distinctly enough,—to the blasphemous flattery and idolatry of the times of James I.* The growing evil of the times was not what Mr. Tyler supposes it to be. It was the rise and growth of the foul spirit of Nationalism in Church affairs, the supremacy of the State over the Church, which in England produced its due fruits in the butcheries and rapine of the Reformation, defended and promoted by bishops to gratify the civil power; and in France annihilated all the internal life of the Church, and laid it bare and defenceless to the axes and hatchets of the Atheists of the French revolution. The Church sinking down for protection into the embraces of the State, losing that Divine creative life which had enabled it in times of lawless anarchy to create and mould the State, by which it was now being wasted and emasculated;—its ministers coming more and more to consider themselves, and to be considered, as state officers, serving the magistrate for pay and power in one department, just as the soldier served him for pay and honour in another; these were the real abuses of the time, which were as yet only in their infancy, and to be discerned by the light of after occurrences. The heart was still sound. In spite of Mr. Tyler, the order of bishops was for the most part pure; and while the heads of the church were untainted, it is reasonable to conclude, that no very deeply-rooted disease had spread throughout the inferior members.

As to the dignitaries of lower rank it is obvious to any one who runs his eye over the lists in Willis,† that the appointments of foreigners to the lucrative posts in the Church which had in times past been not uncommon, were at an end before the close of the fourteenth century. With that century the intrusion of foreigners into high dignities of the Church ceases. If any additional proof were wanting, the instance of Colonna before detailed supplies it. In this department of the Church, too, Nationalism has become almost preponderant.

If we examine the religious houses we have the same results. Even those priories and monasteries which, from the connexion of England with Normandy, had been wholly foreign originally, had now become English. The reign of Henry V

* As a specimen, see the letter of the bishop of Lichfield, 9 Rymer, p. 680.

† "Survey of Cathedrals," or in Newcourt's "Repertorium."

is remarkable for putting the finishing stroke to the confiscation of the alien priories. These were daughter-establishments to foreign monasteries, and principally to those in Normandy. Some of them paid a fixed tribute to the parent, and others accounted for their whole income. From the time of Edward I, it had been usual for the kings of England, in time of war with France, to seize either the tribute, or, as the case might be, the whole revenue of these alien priories. But the commencement of the reign of Henry V witnessed their final suppression by act of parliament. The estates were given to the crown, and were afterwards doled out, for the most part, though not without exception, to other ecclesiastical uses at the will of the monarch.

The monasteries of the order of Cluni present the same appearance. There were about forty houses of this order which were all founded previous to A.D. 1222. "They were all governed by foreigners, had more French than English monks in them, and were not only subject to the foreign houses of Cluni, La Charité-sur-Loire, St. Martin-des-Champs at Paris, but could be visited by them only. None of their priors were elected by the respective convents, but named by the above mentioned foreign houses. They could not receive the profession of their novices in England, nor could so much as any of their differences be determined here; but they were obliged in almost all cases to go to their superiors beyond sea; by which means the greatest part of their revenues were carried to those foreign houses; and upon that account during the wars with France, the different establishments of this order were generally seized into the king's hands."* Yet, so strong was the stream of Nationalism in the Church at that time, that even this portion of it, the most unnational of all, became finally domesticated about the beginning of the fifteenth century. "After the petition" (of some of these houses) "to the Parliament at Winchester, (4 Edward III) these inconveniences were by degrees removed. Some of their houses were in that and the following reign, made denizen. Bermondsey was made an Abbey, and all of them at last discharged from all manner of subjection and obedience to the foreign Abbays."† This seems to have been consummated about the reign of Henry the Fifth. We need say little about the election of the heads of houses, because we suppose no one is so foolish as to attribute their election to the pope.

* 5 Dugd. Pref. p. iv.

† Ibid.

“The scandalous lives and immoralities,” of the monks next claim our attention ; as to which we have to observe, that their enemies among the secular clergy did, indeed, even at that time, bring sweeping general accusations against them, and there is evidence enough to show that there may have been some monks of scandalous lives. But that the scandal was the rule and innocence the exception, is a proposition which is not only devoid of proof, but may we think be rebutted even at this distance of time by tolerably strong presumptions. We have said that there are instances of scandalous lives ; but it is to be noted, that we learn the abuse only, or almost only, from the reformation of the abuse. Thus, about the year 1409,* we learn that the prioress of the nunnery of Wilberfosse in Yorkshire was not very eminent for good works. But how do we learn it ? Why from the “*Commissio ad inquirendum super vitâ et regimine Elenæ Dakyrs Priorissæ de Wilberfosse, variisque ejus excessibus et defectibus.*” In the year 1397, there was a visitation of Nun Monkton Abbey in the same county ;† and we discover the prioress Margaret Fayrfax to have been too lax in dress and in discipline, in receiving visits, in restoring nuns fallen into sin, and in allowing them to receive presents. Whereupon there straightway issued an injunction, that certain specified persons were not to have any intercourse with the prioress, or with any of the nuns, except in presence of two of the elder nuns, under pain of excommunication. Clerks were forbidden to pay visits without a reasonable cause, and a reform of the excesses in dress was ordered. About the year 1408,‡ in the Benedictine Abbey of Humberstayn in Lincolnshire, brother Thomas de Fryshnay, a monk of the Abbey, was accused to the Archbishop of apostacy, whereupon a mandate issued to correct the evil complained of. In the tenth of Henry VI, we read that the revenues of Alcester Abbey in Warwickshire, were wasted. In the Abbey of Westminster, we find the Abbot, William de Colchester, in the reign of Henry IV, taking an active part on the side of the deposed king, and engaged in conspiracies against the new monarch, but we do not read that the monks were dissolute.§ We observe in the very concise index of remarkable occurrences appended to the very voluminous *History of Norfolk*, by Blomefield and his continuator, the “incontinency and irregularities of the popish clergy at Yarmouth.” We turn

* 4 Dugdale, p. 354.

† Ib. p. 194.

‡ Ib. p. 430.

§ Neale's “Westminster Abbey.”

to the text and we find five or six instances in upwards of a century, *but all punished*; and the only one of importance occurs in 9 Edward IV, in the midst of the civil wars. The writer—himself a clergyman—in the true spirit of a French *philosophe*, or Scotch economist, makes exceeding merry over the doings of these “clerical gentry.” In 1439, in the nunnery of St. Helen’s, London,* there had been found “many defautes and excesses, the wiche nedythe notory cor-reccyon and reformacyon. We (Dean and Chapter of St. Paul’s) wyllyng vertu to be cherished, and holy relygion for to be kepte, &c. ordeyne” certain constitutions, which were to be kept under pain “of excommunicacyone and other lawfulle peynes.” These instances of abuse, which, besides, are exceedingly rare, are not exactly of the kind to make us believe that corruption was the order of the day.

On the other hand, the evidences of soundness and good order, are by no means rare. The character of the episcopal bench in this reign affords some little presumption in favour of the regulars, for some of them were themselves monks, and others elected by the monks attached to the cathedral churches. Thus we have already seen that Bishop Chaundler was elected bishop by the monks during a papal interregnum, and we find no complaint of his character or conduct. Archbishop Chicheley too—“that exemplary prelate” as a Protestant writer calls him—when Bishop of St. David’s, having been a monk, was elected for their Archbishop by the monks of Canterbury. William Heyworth, again, Bishop of Coventry, “beloved of God and man,” was Abbot of St. Albans.

But out of the episcopal order, we have a good deal of positive testimony to the learning, virtue, and public spirit of the monks of those times. To begin with one to whom we are indebted for a good deal of our knowledge of the reign of Henry the Fifth: Thomas de Elmham, a man of learning, was Prior of Lenton in Nottingham.† John de Wethampstede, Prior of Gloucester College Oxford, and twice Abbot of St. Alban’s, “wrote many excellent works, most of which he dedicated to his patron, Humphrey duke of Gloucester.” For his great benefactions to the college, he received the thanks of the Benedictines, (to whom it belonged) and in 1428 was “pronounced the chief benefactor and second founder” of the college.‡ Hugo Legatus, a member of the same college, wrote commentaries on *Hant. Archithrenium*, and *Boeth. de Consol.*§

* 4 Dugd. Mon. p. 535.

+ 5 Dugd.

‡ 4 Dugd., p. 405.

§ Ibid.

John Langden, another member, was "an able historian," and as we have already seen, Bishop of Rochester.*

In Buckfastleigh Abbey in Devonshire, between the years 1373 and 1415, we find William Slade, who distinguished himself by his works entitled *Flores Moraliū*, *Questiones de Animā*, and *Questiones super quatuor libros sententiarum*.†

Among the priors of Christchurch, Canterbury, we find Robert Hathbrand,‡ "a man of extraordinary piety, humility, modesty, and devotion, insomuch that he never administered at the altar without weeping. Yet in temporal affairs he was discreet and prudent." He died in 1370.

The same monastery, from 1391 to 1411, had for its prior Thomas Chillenden, "a very great and excellent man," and a great benefactor to the Church. "He is likewise remarkable for writing commentaries on the ancient laws. After he had wisely and honourably governed this church twenty years," he died in 1411.§ He was elected Bishop of Rochester, but he declined the appointment.|| "In his time flourished William Gyllingham, a monk of this church, and a famous historian;" "as also John Bockingham, D.D. who wrote *Questions on the Master of the Sentences and Disputations*.¶ Shortly afterwards we find William Mollush, prior, "a man recorded in the obituary to have been of great purity in religion."**

In the Monastery at Gloucester, (1381-1411)†† "Walter Trowcestre, the chamberlain of the monastery, was chosen Abbot. He procured from the pope a grant of the mitre, and began the building of the neat cloisters, whose curious ceiling and ornamental workmanship, are nowhere surpassed: all the windows along the south cloister are contrived for writing places for the use of the monastery;" (the grateful reader will here remember to whom he is indebted for the preservation of any of the remains of ancient literature), "and at the west end of the north cloister there are many neat washing places, &c."

1419-1437, John Marewent. "He built the west part of the church, and made the porch and west frontispiece from the ground; designing, if he had lived, to have made the whole body of the church of like work."‡‡

Glastonbury Monastery. 1374-1420, John Chinnock, Abbot.

* 4 Dugd. Mon. p. 405. † 5 Dugd. p. 384. ‡ Dart's "Cant. Cath." p. 184, &c.

§ Ibid. p. 185.

|| 4 Hasted's "Kent," p. 564.

¶ Dugdale.

** Dart. p. 186.

†† Sir Robert Atkyns "Hist. of Gloucester," p. 66.

‡‡ Dugdale.

“He finished what had been begun by his predecessor. He likewise rebuilt the ruined cloister, the dormitory and fraternity, and finished the buildings of the great hall and chapter house.”*

Croyland. Thomas de Overton. “Towards the close of his administration he became blind; but, at the earnest desire of the convent, still continued to govern them, the management of their affairs being placed in the hands of his successor Richard Upton, who appears to have consulted the interest of his monastery in every thing.”†

Ramsey Monastery. John Tychemarsch. “Iste fuit nobilis pater; renovavit lapsa, construxit et posuit nova.”‡

Wroxhall Nunnery. Isabella Walsh, prioress, September 3, 1425. “Fuit mulier honesta, provida, et discreta, libera et legitima, et in ætate legitimâ constituta, nulloque crimine irretita, sed moribus et virtutibus multipliciter insignita.”§

Polslo Nunnery, Devon. 1404-1438, Mathilda Talbot, prioress. “Bishop Lacy, May 17, 1439, granted an indulgence of forty days to all such as should say a *pater noster* and an *ave*, for the repose of the soul of this prioress, and the souls of all the faithful departed.”||

Walden Abbey, Essex. Mention is made of the piety of Joan (widow) Countess of Hereford and Essex, who lived here after her husband's death, and was a great benefactor to the church. Continuing “a widow, she spent a great part of her time in the church, exercising herself in devout prayers and meditations.” She died April, 1419, and was buried near her husband in the Abbey.¶ We think we may fairly assume, as to these two last cases, first, that the indulgence would not have been granted for a prioress of “scandalous life;” and secondly that the lady would not have spent her time in Walden Abbey if the monks had been men “of scandalous lives.”

St. Bernard's College, Oxford.** Archbishop Chicheley founded this College in 1437, for Cistercian scholars; because, having no place for their order in Oxford, they lived separate, and could not properly perform divine service or keep the rules of their order; on which account, “Some devout scholars finding themselves troubled in their consciences, have formerly refrained the University: and some, though they were elected according to the custom of their order to go to Oxon to obtain philosophical learning, have notwithstanding

* Dugd. + Ib. † Ib. § 1 Dugd. p. 89. Dugd. Warw. by Thomas, ii. p. 649.
 || Dugd. iv. p. 426. ¶ Ibid. iv. p. 140. ** Ibid. v. 745.

refused so to do, to the great detriment of science and renown belonging to that order."

With regard to the instances of money spent by abbots in the reparation and beautifying of their houses, we may observe, that the period of immorality in a convent was a period of waste; in which view we have already quoted the instance of Alcester Abbey. The times of thrift, and consequently of wealth, or of additions to the outward splendour of the abbeys, were times of virtue: that is, were times when the monks, having in their hands large funds, did not squander them in personal gratification.

In conclusion, we have to apologize for the great length to which this part of our subject has been extended; a circumstance unavoidable, inasmuch as it is always a long and tedious operation to confute general calumny by particular proofs.* We shall, in addition, only refer to the instance given by Mr. Tyler† from Walsingham, of the general Chapter of the Benedictine monks, under Henry V, to reform abuses; in relating which he omits two points that may be thought rather material. The first is, that the historian tells us the Chapter was summoned because Henry's ear had been poisoned by statements about abuses *which were contrary to the fact*; and the second, that the Chapter immediately passed certain constitutions for reformation, in compliance with the suggestion of the king.

We have little room to speak about the parochial clergy, of whom, as we have seen, Mr. Tyler tells us that their efficiency was entirely subverted by monkish appropriations. We shall be able to show, before we have done, that the charge is ridiculous. In the meantime, we may inform Mr. Tyler (who we suspect has drawn his information on this matter from no deeper source than Bishop Kennet's discreditable work on *Impropriations*), that he has clubbed together and applied to this one period, charges which are grossly exaggerated in his original; but which, in his original, are diffused and diluted over four centuries. The evil arising in many instances from undue appropriations of parish churches to religious houses had been long since remedied in the main, (as we can gather even from Kennet) by the institution of those perpetual vicarages which exist every where at the present time. And we may observe, on Kennet's authority,‡ that the endowment

* We might, if we had space, extend this list fourfold. See 3 Blomefield, 615, vol. iv. 91, 419, &c.

+ Vol. ii. p. 67

‡ "Case of Impropriations," p. 44.

of these vicarages was generally "sufficient;" and where insufficient, the bishops "made it an article of enquiry in their visitations, what vicars were oppressed, and upon any such knowledge of their wants they proceeded to redress them." "This was their known right and *constant practice*." "They looked upon it to be a great part of their office to defend the poor vicars, and give remedy to all the hardships and oppressions thrown upon them."* This was the "*constant practice*," till—when? THE REFORMATION; for since that time the power has never been exercised;† and why? Because at the Reformation the idea of civil, *material* right, was made to preponderate over that of spiritual function. Moreover, in cases where the separation of the rectorial tithes from the vicarial, could be proved to be injurious to the parish, it was customary for the bishops to disappropriate them. "*Such instances of disappropriations are common in our registers before the Reformation.*"‡ How often have they occurred since?

The evil described in the statutes of Richard II and Henry IV, which we have already quoted, was an evil affecting the churches newly appropriated; for the majority of churches that ever were appropriated, had been appropriated long since; and had, by the care of the bishops, been supplied with perpetual vicars with fixed and stated incomes. But since the "rise of the pestilent schism," which commenced ten years before the act of Richard the Second, a great number of churches had been irregularly appropriated, out of the usual course, by authority from Rome, and, in these, there had been no effectual provision for the maintenance of vicars. During the schism there was no hope of a due enforcement of the canon law on this subject, and accordingly the acts in question were passed to remedy the evil. But immediately on the election of Pope Martin V, at the close of the schism, it was agreed between the pope and the king, that all unreasonable appropriations should be dissolved, the rest competently endowed, and no new ones made without the consent of the bishops. For a proof that the evil legislated against was a modern evil, we refer Mr. Tyler to the twentieth article of his favourite Oxford petition to Henry V, given also in Kennett (p. 63.) "*Quia ab ortu schismatis pestilentis per suggestiones varias, &c. facta est multiplex eccles. approp. &c.*"

But what, it may be said, was every thing then quite pure in those times? Was the Church filled universally with pious

* "Case of Improvements," p. 49.

† Ibid.

‡ Ibid. p. 52.

and learned men zealous for the salvation of souls? Were there no abuses or corruptions to complain of? Oh yes, to be sure there were. There were abuses then, as there were in the times of the apostles, and as there are in the "favoured times *we* live in," even in the Reformed Church, with its Statute-creed.

For our parts we expect to meet with evil in the fifteenth century as well as in all other centuries; and we should be very much surprised indeed, if a great deal of crime which is now perpetrated in secret chambers, or exists as strongly as ever in the heart, while the wish remains unacted only through fear of public opinion, were not then perpetrated unreservedly, in the open daylight. We should expect that virtue and vice would then stand in deeper and broader contrast than they do now. But let us see what are the abuses complained of.

They are pretty completely enumerated, we dare say, in the petition from the University of Oxford, of which the heads are given by Mr. Tyler. The greater part of them are abuses in the English Church at the present day, and are not so easy to be removed as Mr. Tyler may imagine. Non-residence, ill-fed curates, commendams, clergymen ignorant and incapable, simony, foreign ecclesiastics who could not speak English (like the English clergy in Wales); these abuses were not all removed (except from the Catholic Church) at the time of the Reformation. There were others, doubtless, which do not exist now, because the institutions out of which they arose no longer exist in England; the excessive number of cardinals; excessive grants of indulgences; vicious lives of monks, and their exemption from episcopal control: and the admission into orders at Rome of persons judged unqualified for orders in England. All these are lamentable evils to whatever extent they existed; but be it remembered that the time we are speaking of, was the close of a long schism, which had paralysed the main-spring of the Church's vigour, and therefore we are making the enquiry at the most unfavourable period that could be selected.

For one thing we do thank Mr. Tyler. He has recognized and put forward clearly a most important fact, which other historians have taken upon them to deny. Mr. Turner, for instance, tells us, that on the first rise of heresy in the fourteenth and fifteenth centuries, the clergy, fatally for themselves, resolved to maintain the abuses incident to a wealthy and corrupt establishment, and to put down the growing disaffec-

tion only by burning the Lollards. A most unfounded accusation ! Mr. Tyler (with another design indeed) gives several instances which shew—what has been true in all times—that the most zealous friends of reform and amendment were the most zealous enemies of the heretics. The very petition from Oxford, which enforces in such strong language the necessity of putting an end to abuses, breathes the keenest hostility to the disturbers of the peace of the Church. “They closed their petition by praying that all bishops who were remiss in punishing heresy might be deposed: and that all magistrates and officers should be bound by their oath to aid in its extirpation.” Mr. Tyler gives another instance, in Henry’s chaplain, Thomas Walden, a “bitter persecutor of heretics,” a “sincere censor of the ecclesiastical corruptions of his time,”* and several others. Indeed it is impossible to misunderstand this fact, which was one of the most conspicuous signs of the times. Not merely were the prelates, under the influence of their pious monarch, zealous for reformation, but the inferior clergy every where signalized themselves as surpassing even the bishops in their ardour; as more eager at once for the extirpation of heresy and the eradication of abuses. There were doubtless many corrupt pastors, many unworthy priests, but the main body was sound. If we want direct testimony, we have it in the words of Mr. Tyler’s favourite Reformer, the Emperor Sigismund, who, after his visit to England, speaks “of the governance of Holy Church, Divine service, ornaments, and all state thereof, kept as though it were in Paradise, in comparison with any place that he ever came in before.”† But for our parts we think general expressions of blame or praise, of very little value, unless we know beforehand the standard to which the speaker or writer makes reference. In most matters with which man has any concern, there is a little to praise and a great deal to censure; and the higher the standard of comparison, the more vehement the blame. We prefer indirect proof, as in reality more precise and definite. We know there was corruption, but if corruption had been the rule, and not the exception, we should not have had the main body of the clergy outgoing the bishops in their reforming zeal. Mr. Tyler, in one passage, speaks of the English prelates, as “determined to carry on the Reformation though at their own personal sacrifice.”‡ This being the case, mark the conduct of the inferior clergy.

* Tyler, vol. ii. p. 56. † Rymer, vol. ix. p. 435. ‡ Tyler, vol. ii. p. 60, n.

A convocation of the province of Canterbury was held in the year 1418, in the first year of Henry the Fifth; and there the clergy press on their prelates, in the most moving terms, the enforcement of certain old constitutions and canons, as they will answer for it before God.* They require them to cause to be read twice in the year, constitutions which prescribe the duties of bishops in regard to visitations in their diocesses, to their residence and behaviour, to the governance, deportment, and dress of their household. They insist on the enforcement of the canons prohibiting the exaction of money for spiritual services, on enforcing the residence of the clergy, and of preaching by curates, the infliction of penance for notorious crimes, the due fulfilment of last wills, the proper observance of the Sunday, putting down the desecration of churches and other holy places, and many other matters of the same kind. We have already seen the zeal of the University of Oxford for reformation. In the year 1411,† we find the clergy censuring the remissness of the prelates in providing for the cure of souls, and complaining of the obstacles which prevent the ordinaries from inflicting due chastisement on powerful individuals, for their adulteries, incests, and other crimes. The same spirit is manifested everywhere; and the persons who are thus forward in stirring up the bishops where they seemed to be remiss, are likewise the same persons who couple every recommendation of amendment with entreaties for the extirpation of heresy;‡ and who, when the bishops consented, at Henry's request, to delay proceedings against Lord Cobham, received the assent of the courtly prelates to this suggestion, "non absque murmure."§

In 1401, Archbishop Arundel issues a monition,|| in which he enjoins all rectors, within one month from the date thereof, to comply with the canons against non-residence; and two years afterwards (1403)¶ we discover that this was no empty threat, when we see the same Archbishop sequestrating twenty-one parishes and one perpetual vicarage for the non-residence of the incumbents. In 1403, Arundel puts forth another monition, enjoining all persons in the receipt of tithes to repair the churches belonging to their parishes; in default of which, the ordinaries are empowered to apply a sufficient portion of the defaulter's income to that purpose.** On the petition of the clergy in 1419, the Archbishop Chicheley confirms a constitution of his predecessor Wynchelsey, to the effect that all

* Wilk. vol. iii. p. 351.
|| Ib. p. 267.

† Ib. p. 335.
¶ Ib. p. 275.

‡ Ib. *passim*. § Ib.
** Ib. p. 376.

stipendiary priests, before being admitted to celebrate mass, are to take an oath to be faithful to their superiors, and to do their utmost to preserve peace and good will between the rector and his parishoners.* In the same year the Bishop of Lincoln issues a monition to compel certain of the priests of his diocese, to assist, with due reverence, at processions of the Blessed Sacrament on Corpus Christi day, and the Sunday following. As we have before seen with regard to monks, so we may see with regard to seculars, incontinence and loose living are punished, under the direction of the provincial synods;† which, moreover, do not allow other crimes to escape with impunity.‡ Particular attention was paid both by clergy and prelates to the due observance of Sunday. The barber's shop was, in every parish, what the public house is now; and, accordingly there were petitions by the clergy,§ and proclamations by the bishops,|| against barbers keeping their shops open on Sunday.

Traffic, if not absolutely prevented, was kept within as strict limits as the necessities of the flock permitted; and the attendance at Mass was by no means to be passed by:¶ and if the latter part of the Sunday was not observed with the puritanical strictness of modern times, it should be remembered that the same amount of devotion was distributed over a larger space of time,—perhaps more conveniently for the poor,—for we find that at this time there were in England upwards of fifty festivals of obligation besides Sunday.** In short a vigorous spirit was manifesting itself in every direction in the Church, most hostile to abuses of every kind; and to crown all, when the new Pope Martin V, elected at the council of Constance, was firmly established in his seat, he instituted, in agreement with the English prelates and ambassadors, a concordat,†† providing for the remedy of the evils which a long schism had introduced; a concordat, as Mr. Tyler admits, “by which, if fully acted upon, most of the evils complained of would have been rectified;”‡‡ and we have most conclusive evidence that it was not allowed to remain a dead letter.§§

We have thus seen that the order of bishops was for the most part pure; that the monasteries, whatever rare acts of misconduct there may have been, were not wallowing in corruption; that the main body of the clergy were zealous for the correction of abuses, and, consequently, cannot be sup-

* Wilk. vol. iii. p. 395.

+ Ib. p. 262, &c.

† Ib. p. 394 and 399.

§ Ib. p. 352.

|| Ib. p. 368.

¶ Ib. p. 266.

** Ib. p. 252, 376, 613.

†† Ib. 7 Apr. 1419.

‡‡ Tyl. vol. ii. p. 66.

§§ Wilk. vol. iii. p. 403, &c.

posed to have been persons of scandalous lives. Still there were abuses. Let us see what was the great obstacle to their complete eradication.

When Wickliffe was asked why his poor priests had no benefices, his answer was, that they could not endure the practice of lay patrons, who held curates in vain offices in their courts;* and he frequently inveighs against the scandalous practices of the lay patrons exacting lay service from their curates or rectors, and forming corrupt bargains with them as the price of nominations to livings. Now this branch of the subject is kept in the background by Mr. Tyler, though it is here that the greatest evil lay. When we say *the greatest evil*, we mean that the greatest obstruction to the free exercise of ecclesiastical discipline in eradicating abuses, lay in the patronage of benefices by laymen, and the intermeddling of lay courts and civil authority.

The practice of the king, who procured his ambassadors to be made bishops, was imitated by inferior laymen, who, before appointing an incumbent, often stipulated with him for the performance of duties by which the service of the Church was left bare. In the same manner we find clerks employed in all kinds of lay services—clerks of the kitchen, clerks taking army musters, clerks directed to procure horses and carriages for the transport of guns.† They were also withdrawn from the service of the Church, to fulfil the private devotional purposes of wealthy laymen, such as to say the offices of the Church for a whole year for the souls of deceased persons; and those who were so employed, were called *annualiarii*. As the wealth of the country was increasing, intelligent, educated, and worldly men, who had entered the Church, or had been educated at the universities, without any serious design for the service of the Church, found it an easy matter to gain a livelihood without subjecting themselves to the laws and ordinances of the ecclesiastical authorities. Many remained at college all their lives, without taking orders at all.‡ Others (like the host of Abbés in France before the Revolution, who took the name of Churchman for a cloak, and were Atheists in disguise or avowedly, and yet brought scandal on the Church whose livery they wore, though they never had been, nor had ever intended to be, her servants,) others, we say, taking orders or pretending to take orders,§ either procured employments in the manner we have mentioned, or else

* Vaughan's "Life of Wickliffe," vol. i. p. 299.

† Rymer, vol. ix. pp. 49, 595-6, 875, &c. ‡ Wilk. vol. iii. p. 264. § Ib. p. 404.

wasted their time in large towns and cities "in drinking, indolence, and other insolences;"* and though living entirely out of the pale of Church authority, brought disgrace on the name of Churchman, which they fraudulently retained. A redress of these evils was vehemently urged on the bishops by the clergy; but when the ecclesiastical courts attempted to put in force the canon law against these offenders, and to compel them to accept the cure of souls in some church or chapel, they were met by the plea that the persons so sued were bound by agreements entered into with laymen, for which they were liable to answer at common law; and this naturally indisposed the ordinary to proceed further in the matter. Often these pleas were fraudulent, and sometimes, it is said, these mock clerks "*procurant implacitari ad evitandum hujusmodi compulsionem.*"† In other ways, too, the lay power interfered with the due exercise of ecclesiastical jurisdiction. Lords would not allow their tenants to appear before the ordinaries, to answer for their offences against canon law.‡ Alien priories, when taken into the king's hands during war time, were occupied by laymen, withdrawn from ecclesiastical purposes, and the houses and churches allowed to fall into decay and threatened with ruin.§ One of the great evils that Mr. Tyler complains of, is the appropriation of churches to monasteries, but here again the lay power interfered to prevent a redress of the grievance. For if the churches appropriated to alien priories were filled up by unqualified persons, and the ordinary proceeded to sequester the profits of the living, in order to compel the appointment of a proper incumbent, a prohibition issued from the king's court to prevent the interference of the bishop, and "thus the aforesaid churches are deprived of their rightful services, to the grievous peril of souls."|| In the same manner, in cases where the king was patron, by reason of the alien priories having fallen into his hands, if a poor vicar sued in the ecclesiastical court "for an augmentation of his slender portion," he was stopped by a royal prohibition.¶ We cannot pursue this subject further, for want of space.** It may be said, in one word, that in this reign the idea of the Church, as a civil or legal establishment, with its endowments and civil privileges, was rapidly preponderating over the idea of the Church in its spiritual independence, as a divine institution. The officers of the Church were *coming* to be considered mere stipendiaries of the state,

* Wilk. vol. iii. p. 335.

|| Ib. p. 244.

+ Ib.

¶ Ib.

† Ib. p. 244.

‡ § Ib. and p. 273.

** Ib. p. 523

and the spiritual functions of priests and prelates to be the mere incidents of, or appendages to, their civil state and function. Such was the turn things were *beginning* to take. But we must say, that there was a hearty zeal for reformation among the main body of the clergy, sufficient to warrant us in believing, that if the dreadful wars which agitated the latter half of the century, and the accession of the Tudor dynasty, had not given to this embryo Nationalism a fatal and irresistible impulse, and at the same time diverted all minds from ecclesiastical reform, the Church would have been purged of all its corruptions, and no *reformation* would ever have cursed this land.

Having thus expressed, perhaps at rather too great length, our opinion of some of the principal portions of Mr. Tyler's work, it remains for us to say something more explicit of the work itself. We believe we have done the author no injury in examining his book in the desultory manner which we have hitherto adopted, because instead of being a life, a memoir, it is a series of disquisitions—disquisition within disquisition—amidst which the thin stream of the Prince's own life flows rather languidly along. The author has a perfect passion for writing dissertations; and as is usual with minds of a certain cast, every little insignificant subject becomes for the moment of the last importance, and is treated of in a most grandiloquent and pompous manner.

Instead of these disquisitions, his readers would have been better pleased to see some attempt to catch and impart to the narrative itself, a little of the spirit and colouring of the age in which the scene is laid. But this, Mr. Tyler has studiously avoided; and he seems to have been guided by a curious principle. His case, indeed, was perplexing, and perhaps deserves pity rather than blame. He has a great contempt for the age in which Henry lived, and the religion which he professed, and for the understandings of his contemporaries, because they made the age no better, and believed such a stupid religion. At the same time, he has a great, the very greatest, admiration for Henry. While, therefore, he is very zealous in dragging to light, in the course of his little disquisitions, those peculiarities of the times of which he judges unfavourably, and inveighing against all who are in any way mixed up with them, his hero only excepted, he softens down every thing which can in any way implicate Henry in the follies, that is the religion, for which he has so much contempt. Where he cannot attain his end by any little artifice of this

kind, he either omits a story or a fact; or else, waxing bold with the emergency, he turns round upon his reader—as we have already seen in the case of Saint worship—with a most grave attempt to establish a most desperate absurdity. Of these little ingenuities we intended to amuse our readers by a few specimens, which want of space compels us to omit, though with some reluctance.

There are several topics which Mr. Tyler has touched upon, that we should be glad to notice if our space permitted. One subject in particular we are sorry to be obliged to pass by,—we mean the story of the Lollards and Sir John Oldcastle. Mr. Tyler, in defence of Henry against the attacks of Fox and Milner, has done good service by pointing out the cool inventions of these two writers; but we owe him no gratitude for his services, because where he thinks he can separate the case of Henry from that of the priesthood, he equals in injustice the most virulent of his predecessors. We should perhaps feel some little indignation at his unscrupulousness, if it were not carried to an extreme that makes it completely defeat its purpose. Indeed, he constantly falls into the most absurd contradictions,* and blunders by trying to draw a distinction between the conduct of Henry and that of the clergy; and

* He is discussing (vol. ii. p. 372) the probability of Henry having connived at the escape of lord Cobham from the Tower, where he was confined, after having been convicted of heresy. In the case of Badby, he says, “the sentence, the king’s writ, and the execution of the persecuted victim, followed in one and the same day hard upon each other.” Lord Cobham, on the other hand, was some weeks in prison, and still “no warrant of execution was forthcoming.” Does not this delay most probably arise from the king’s forbearance? “Certain it is, that had the king been a ‘cruel persecutor,’ had he been as ready to meet the desires of the hierarchy, as his father was in the case of Sautre and Badby, a few hours only would have borne lord Cobham from the power of his persecutors to the place where the wicked cease from troubling, and where the weary are at rest.” We are afraid our readers will think we are quizzing them, in quoting the very next sentence, but we assure them it is no such thing. “Walsingham says that both Henry and the archbishop were desirous of saving Oldcastle’s life, and that THE ARCHBISHOP REQUESTED THE KING TO GIVE HIM A RESPITE OF FORTY DAYS.” In a note on this sentence, Mr. Tyler, alluding to some absurd speculation of Milner’s, as to the cause of the delay, adds, “It did not occur to that writer, that the space of fifty [forty] days might be required to forward his appeal to Rome, &c.” So that Mr. Tyler is perfectly satisfied that a definite respite was granted him, and he knows also (for he never even hints the least doubt of the truth of Walsingham’s statement, which is admitted even by Milner) that the respite was granted at the archbishop’s request, and yet he tells us that if Henry had not withstood “the desires of the hierarchy,” Oldcastle would have been burnt a few hours after sentence was passed. He goes on:—“Had Henry been merely indifferent on this point, the writ would have issued as a matter of course!” The archbishop compelled the lay power, “by most terrible menacings, to assist him against lord Cobham and yet the writ of execution is withheld!”—(vol. ii. pp. 372-3-4.) Any comment of ours would be thrown away. Our readers see the man!

then, on the strength of a distinction which has no real existence, vituperating the clergy while he lauds Henry.

In conclusion, we have only to repeat what we said in the beginning, that the author deserves some merit for the industry and patience with which he has searched out some facts, and brought together a variety of curious little points,—of no great value perhaps, but still worth having;—although it is obvious that in one fourth of the space a far better picture of the times might have been given. His book may be of some value to Protestants (we pay them no great compliment), inasmuch as with all his partiality and prejudice in Henry's favour, the author has on the whole taken the true view of his character, and presents him, out of the middle of "the dark ages," to his fellow-religionists, as a specimen of a great, wise, pious, and enlightened king. But it is a book full of the cant of candour and the reality of injustice and unfairness of every kind. When an attack is made upon his favourite, he flies into a rapture of lamentations, and, with finger in his eye, whines to poor Sir Harris Nicolas, about his "fellow-creatures" and about his being "unkind," like a whipped child of three years old to his nurse. His suffering at the smallest injustice seems so intense, that he puts a good-natured reader, and even a hard-hearted critic, into an agony of sympathy with his distress. We never saw or heard of any think like it except Chaucer's description of the Prioress:—

"But for to speken of hire conscience,
She was so charitable and so pitous,
She wolde wepe if that she saw a mous
Caughte in a trappe, if it were ded or bledde.
Of smale houndes hadde she, that she fedde
With rosted flesh, and milk, and wastel brede,
But sore wept she if on of hem were dede,
Or if men smote it with a yerde smert;
And all was conscience and tendre herte."

But when a great injustice has to be done to men with whom he has little sympathy, or rather against whom for his craft's sake he has a great antipathy,—when a monstrous slander has to be uttered,—when a gigantic calumny has to be retailed or invented for the purpose of overwhelming an obnoxious order of men with obloquy and disgrace, then who so ready as this male Prioress to overstep the limits of truth, to tread down the boundaries of historical evidence, to defame without enquiry, to presume everything against innocence, to run all risks for the purpose of establishing guilt? We would seriously

advise him in all charity to look to it if his book should reach a second edition, for we really never met with anything so laughable as the extremes of credulity and incredulity which are to be met with in this first edition. Passing from one chapter to another, and sometimes from one paragraph to another, you are amazed at the temperature of the room and the company you find there. For a moment one is as cold as ice. There must be proof for everything. You are to take nothing on tradition and general testimony. Henry is not to be supposed to have entered disreputable company, unless some one was present with a stop-watch to note down the exact moments at which he crossed the threshold of evil omen, to enter and to return, and has deposited his notes in the British Museum. Then in a second you are whisked off into an atmosphere of fever heat. You not only may, but must believe, everything. You are absolved from all the old critical canons. A tradition, unsupported by evidence, damns a whole batch of Catholic prelates as sacrilegious instigators to murder.* You look about you in astonishment at this apparent contradiction; until by a little enquiry you find that evidence has nothing whatever to do with it, and that you are to believe or disbelieve according as the reverend gentleman has a friend to save or an enemy to slander. Now all this is very absurd, and puts our author in a very ridiculous position, from which we would gladly see him escape. To prove our sincerity, we will give him this piece of advice: before his next edition is put to press, let him examine every hard name he gives the Catholic clergy or laity, and every foul charge he brings against them,—not with all the unwillingness to condemn which he manifests in the case of Henry (for that would be far more than we honestly think needful, or even right)—but with a tenth part only; and we are sure he will then have to rewrite some considerable portions of his book. We are sorry to give him this trouble; but we assure him that we consider it the only way by which he can relieve himself from imputations most unseemly, but at the same time most true.

* Vol. II. p. 71.

ART. V.—1. *Travels in North America during the years 1834, 1835, and 1836; including a Summer Residence with the Pawnee Tribe of Indians in the remote Prairies of the Missouri, and a Visit to Cuba and the Azore Islands.* By the Hon. Charles Augustus Murray. 2 vols. 1839.

2. *A Diary in America: with Remarks on its Institutions.* By Captain Marryat, C.B. 8 vols. 1839.

THE present year has been less fertile than usual in books of travels in America, the two above-quoted being, we believe, all that the press hath as yet sent forth. Travellers, however, are doubtless at work, preparing a due supply for the coming year. The increased facilities of intercourse, by means of steam navigation, cannot but have sent to the western world many a pen-armed wight, for whose lucubrations the reading world may look, as soon as the “publishing season” shall have fairly set in.

So rapidly is the American voyage now performed, that a travelling gentlemen, who desires to *say* he has seen the United States—and we believe many an English traveller has no higher motive—may cross and recross the Atlantic, and steam through a good deal of country, without breaking a “previous engagement” for a London party, with notice fashionably long. Nay, more,—if our traveller know a little of the craft and mystery of book-making, he may, without much fatigue, by his own fireside, and in his own comfortable dressing-gown and morocco slippers, get up such a three-volume “Travels” or “Diary” as publishers are proud to publish, and readers are wont to pay for.

There is really no country in the world like America for the traveller. It is the most fertile mine of book-making materials in the known world; and even if you be too indolent or ease-loving to collect vulgar facts, you have only to take what is known, and add plenty of abuse of the Americans, and you may be sure of a good market for your labour. Even the Americans themselves are far more greedy of books which abuse them, than of books which praise them. They are a most sensitive people, (of which more anon,) and they are nervous in their desire to see how Englishmen quiz them. An intelligent American, fully alive to this peculiarity of his countrymen, once thus advised a friend of ours on the subject of “Travels” making. “If you want to make money by a book,” said he, “abuse us roundly. You need not stick to the truth, so you but abuse enough. Then take out your

copyright in the United States, and you will make your fortune." At the time the advice was given, Captain Hall had written—Mrs. Trollope had not. Pity but the latter could have heard the advice, and her profits might have improved her temper for her next tour,—soured as it had been by her unsuccessful bazaar speculation at Cincinnati; whereof, also, more anon.

But abuse of the Americans is not the only raw material at the traveller's disposal. If it be his "gift" to collect new facts, America furnishes an annual—nay, a perennial—and most abundant crop. The same traveller who happened to be an accurate observer, and a faithful recorder, might produce a new and *original* work on America every four or five years. This has been often remarked, and it is true. America is continually under the influence of very important changes. Improvement—real improvement, is there most rapid in its progress. The population is the most restless and migratory in the world; so that if we have not the same traveller, but a change of travellers—a change of eyes and ears, and prejudices and intelligences, as well as the change of objects above indicated, *newness* must be found in each succeeding annual supply of American Travels.

It is to be feared, however, that Englishmen do not make the best of travellers, especially in America. They are too apt to make invidious comparisons with things at home; and even if they have no political object in view, in writing, they are prone to condemn all that does not tally with the narrow standard they have set up. If a strong political bias be added, that becomes another source of erroneous judgment. Such travellers both travel and write for a purpose, and so become dishonest,—perhaps, without fully knowing it. Of all books of travels we ever read, *Laing's Residence in Norway* is the most free from undue bias. "His views," says one of his reviewers, "are more extended (than the common run of English travellers), infinitely more enlightened: he distinctly tell us, in so many words, that the happiness of the people is *his* test of the value of an institution: and not only does he himself never lose sight of his own standard, but he is especially careful to keep it continually under the reader's eye, and this we take to be a (if not the) most valuable feature in this most valuable book. Mr. Laing is, in short, a practical utilitarian in the true sense of the term." Mr. Laing is, in truth, a traveller of the highest order, and we should rejoice to hear that he was in the field as an American traveller.

But to the works immediately under our notice. That of Captain Marryat is divided into two portions; the "Diary" fills the first volume and two-thirds of the second; the remaining portion of the second volume, and the whole of the third, being made up of "remarks" under distinct heads, such as "Language," "Credit," "Penitentiaries," "Law," and so forth. In other words, the record of all Captain Marryat *saw* and *heard* is contained in about 520 scanty pages; and what he thought thereon (which people care much less about), in rather more than 400. The whole might have been got into a single readable volume, but the world will buy nothing now-a-days—that is, nothing from the pen of a professed novel, or tale-writer—unless it is in three volumes, at a guinea-and-a-half! Mr. Murray, not being a professed author, felt himself at liberty to print according to his own taste; and the result is, two honest volumes, beautifully got up in every way, and full of most attractive matter unaffectedly set forth.

In going over a couple of works on so large a subject as the social and political state of a free people—treating, as they necessarily must, "*de omnibus rebus et quibusdam aliis*,"—it is difficult to determine where to begin; but as our pages have contained but little on the subject of the United States, it seems of no great consequence whether we proceed chronologically, geographically, or—or—or what shall we say?—fancifully, that is, according to our own whim or that of one of our authors.

One thing, perhaps, it will be but fair to mention, namely, that the writer comes to the task of reviewing, not merely as one tolerably well read in American tour and travel, and therefore able to try one witness by another, but rather as a percipient witness, who has passed many years of his life on the American continent, who has seen much of society in America, and who is still proud of the friendship of many of her sons. The effect of this upon our "notions of the Americans," it is not for us, but for our readers, to determine. They may make what allowance they think fit for our biases real or supposed; but that our freedom of speech, or rather of pen, is not affected thereby, we hope and trust all will admit who go on with our story.

Talking of freedom of speech, and seeing our difficulty about a beginning—why not begin there? It is a remarkable fact in *democratic* America, that while the press is legally free, there are not many countries in Europe where the expression of opinion is so much under restraint. Individual opinion is,

in fact, controlled, nay, we are almost tempted to say destroyed, by public opinion, in a most remarkable manner; so much so, indeed, as in some places, and on some subjects, to amount to a most painful tyranny. An Englishman, after he has been a few days in America, feels, probably for the first time in his life, that his individual liberty is interfered with. At a public table he expresses to his next neighbour an opinion indirectly touching upon slavery,—he is not, be it observed, in a slave-holding state,—and shaping his views according to his old-country biases, he fancies he can speak freely, provided he speaks not offensively; but he is soon convinced of his error. If he be not told—he soon discovers that he is on forbidden ground, and that he is a watched and marked man during his sojourn. Miss Martineau observed this peculiarity, though we have not her excellent work to quote from,—she remarked further that whenever two strangers were introduced for the first time, there was a caution in expressing opinion, until each knew what the other's opinions happened to be. This gives a furtive air of suspicion to social intercourse in America, which is exceedingly painful, and certainly impairs individual character to a considerable extent. Captain Marryat says, “The Americans fear public opinion beyond the grave,” (vol. i. p. 114); but he does not appear to have remarked the tyranny of public opinion over all individual opinion.

The great reserve on the part of the Americans in the presence of travellers, he has over and over again recorded—especially in the case of those who may be presumed to be on a book-making expedition. Take the following case:

“For the first time since my arrival in the country, no one—that is to say on board the canal boat—knew who I was. As we tracked above the Oswego river, I fell into conversation with a very agreeable person who had joined us at Syracuse. We conversed the whole day, and I obtained much valuable information from him about the country: when we parted, he expressed a wish that we should meet again. He gave me his name and address, and when I gave him my card in return, he looked at it, and then said, ‘I am most happy to make your acquaintance, sir, but I will confess that had I known with whom I had been conversing, I should not have *spoken so freely* upon certain points connected with the government and institutions of this country.’ This was American all over: they would conceal the truth, and then blame us because we do not find it out. I met him afterwards, but he never would enter into any detailed conversation with me.”—*Marryat*, vol. i. p. 158.

The sensitiveness of the Americans as to what is thought

and said of them is conspicuous; but they care much less what Frenchmen write of them than what Englishmen do. This we believe to arise purely from the ancient tie—the natural affection which cannot but exist between two people speaking the same language, enjoying institutions (in spite of all differences) very similar, and sympathising in a common energy of character unparalleled among other nations. The sense of wrongs received at our hands during the latter days of colonial dominion, and the bitter feelings created by the revolutionary struggle, and kept alive by the war of 1812, are fast dying away. Ancient associations are revived, and our transatlantic brethren cannot endure the ill-will and contempt of those with whom they desire to live in amity, and to exchange offices of good-will. If, then, their sensitiveness be a weakness, it is in part, at least, an “amiable weakness.”

Known as an author not over-favourable to free institutions, Captain Marryat soon found himself not at home in what Americans call “society.” The Americans, he tells us, having been perpetually libelled by previous travellers, had determined “no longer to extend their hospitality to those who returned it with ingratitude.” For this Captain Marryat considers them not to blame; on the contrary, he tells us they would be wanting in self-respect, if they admitted into their domestic circles those who requited them with abuse.

“Admitting this,” he continues, “of course I have no feelings of ill-will towards them for any want of hospitality towards me; on the contrary, I was pleased with the neglect, as it left me free and unshackled from any real or fancied claims which the Americans might have made upon me on that score. Indeed, I had not been three weeks in the country before I decided upon accepting no more invitations, even charily as they were made. I found that although invited, my presence was a restraint upon the company; every one appearing afraid to speak; and when any thing ludicrous occurred, the cry would be—‘Oh, now, Captain Marryat, don’t put that into your book.’ More than once, when I happened to be in large parties, a question such as follows would be put to me by some ‘free and enlightened individual:’—‘Now, Captain M., I ask you before this company, and I trust you will give me a categorical answer, are you or are you not about to write a book upon this country?’ I hardly observe to the English reader that under such circumstances the restraint became mutual; I declined all further invitations, and adhered to this determination as far I could, without cause of offence, during my whole tour through the United States.”—Vol. i. p. 13.

It follows from this, that Captain Marryat’s book must not be consulted for an account of fashionable society in America.

This creates in us no regret: we care not how fast the New Yorkers bolt a dinner, how long the Bostonians sit at table, how would-be aristocratic are the Philadelphians. What we especially desire in all books of travels, is an account of the great mass of the people:—the bone and muscle and sinew of the state.

Most of the books of travels in America which have been published of late years, have been radically faulty in several essential particulars. In the first place they almost wholly confine their descriptions to the social habits of the wealthy dwellers in towns, neglecting the masses, by whom really every thing has been achieved in America. They next commit the egregious blunder of taking upon trust all that their wealthy entertainers choose to tell them of the opinions—particularly the political opinions, of the great body of the people. Again, they describe the manners of one locality, or rather of one class of people in one locality, and either assume or leave it to be inferred, that what they describe is universal. “In England,” said a Frenchman, looking out of his prison window at Portsmouth upon Pud’s Hole, or some such delectable resort, “in England de ladies all drink gin:” the Frenchman’s account is a type of the ordinary statements of travellers in America.

The common talk of the wealthy class in America is precisely what we are accustomed to hear in this country. They prate about “the legitimate influence of property,” meaning all the time its *undue* or *sinister* influence. They are not content with the great advantages necessarily inseparable from wealth, but thirst for privileges which they will never get. They are jealous of the political equality of the people. They speak of the honest masses with contempt, and in terms, too, borrowed from the aristocratic vocabulary of *feudal* Europe. They call the people the *mob*, the *herd*, and so forth; and they think the hard hands of the honest yeoman much better adapted to tax paying than to vote giving.*

We shall here make an extract from a private journal, which contains the result of a much longer experience than the ordinary tourist can usually boast of.

“The rich class in America are professed admirers of every thing English. They are perpetually praising our ‘glorious constitution,’ its ‘beautiful harmony,’ and its ‘admirable working.’ They talk this sort of cant with as much volubility as a member of the Pitt

* The hand gives the vote in most of the states.—not the mouth.

Club after his first bottle. Twice since the establishment of the government have they gotten political power for a short time—during a period of alarm—when they did something more than talk. They introduced a sedition bill and a standing army bill,* which brought the people at large to their senses. ‘Short parliaments’ saved the [American] constitution,—an election came round, and the admirers of the English system—the Federalists as they are called,—with their standing army and sedition bills, fell before the mighty influence of the ballot box.

“The fine folks in America, who sigh for distinctions which their own merits will never give them, are known for their absurd and apish imitation of all the vulgarisms of English fashionable society. They stick a little bit of red cloth or gold lace on the corner of a black boy’s collar, and fancy he is liveried like an English lord’s lacquey. They put off their dinner-hour till four o’clock—the common hour being two—and fancy that by thus punishing their stomachs they become quite ‘English.’ In short, the most servile imitation of everything that is bad and ridiculous, and the neglect of everything that is really estimable in England—seems to be the prevailing characteristic of the rich class in America; and yet it is this very rich class which is daily pictured to us Englishmen as an average specimen of the character of the American people The Halls and the Hamiltons, and the whole of the travelling tribe, have really seen nothing of the American people. They have seen only the ‘genteel society of the cities,’ and they have committed the egregious blunder of recording the opinions and feelings of that society as a fair sample of the state of opinion of the whole American people.”—*Private Journal*.

We have also before us a private letter, written in the year 1836, and containing some extremely interesting remarks on the character of the wealthy class in America. From this letter we cannot resist the temptation of making a few extracts, the more especially as they agree with what we have already quoted.

“The efforts of the rich to create some kind of permanent aristocracy, are ceaseless. Their bank, their tariff system, their chartered companies of various kinds, are supposed by many to have been established with that view. The rich class are allowed to proceed to a certain point, when the people’s attention is attracted to the subject by the evil working of some of these institutions,—when, by the aid of the ballot-box, the people undo in a single election the work of years. ‘Sir,’ said a member of the senate, ‘the people’s eyes are just now upon the federal or aristocratical party, which is the cause of all the noise they are making.’ * * *

* During the administration of John Quincy Adams we presume.

“ The Bostonians surpass all other people in the States in their pretensions to aristocratical feelings. Much has consequently been said in favour of the Bostonians by English travellers, from which I dissent. I was more disgusted by the state of feeling there than in any other part of the United States which I visited. I was terribly teased by one man, who talked of respectable people (meaning rich people)—aristocracy, and like expressions. I cut short the conversation by telling him that I admired those Americans who appreciated their institutions, and were proud of them, but that I could conceive nothing more ridiculous, or lower in the scale of nature, than an American aristocrat. In such a man there were no redeeming qualities—no early associations—no prejudices, to misguide his judgment. The mind of an American, therefore, who was impressed with an admiration of aristocratic institutions, must be radically vicious and weak.”—*Private Journal*.

For the very reason that our friend disliked the Bostonians, Captain Marryat found himself much at home among them. Their aristocratic pretensions—their affected contempt for their own institutions—were not offensive to him. An Englishman of a common mind would naturally feel flattered thereby.

“ Massachusetts,” says Captain Marryat, “ is certainly very English in its scenery, and Boston essentially English as a city. The Bostonians assert that they are more English than we are ; that is, that they have strictly adhered to the old English customs and manners, as handed down to them previous to the Revolution. That of sitting a very long while after their dinners, is one which they certainly adhere to, and which I think would be more honoured in the breach than the observance ; but their hospitality” (meaning dinner-giving) “ is unbounded ; and you do, as an Englishman, feel at home with them. I agree with the Bostonians so far, that they certainly appear to have made no change in their manners and customs for the last one hundred years.” (This is not saying much in their favour.) “ You meet here with frequent specimens of the old English gentleman, descendants of the best old English families, who settled here long before the Revolution, and are now living on their incomes, with a town-house, and a country-seat to retire to during the summer season. The society of Boston is very delightful,—it wins upon you every day ; and that is the greatest compliment that can be paid it.

“ Perhaps of all the Americans the Bostonians are the most sensitive to any illiberal remarks made upon the country ; for they consider themselves, and pride themselves, as being peculiarly English ; whilst, on the contrary, the majority of the Americans deny that they are English. There certainly is less admixture of foreign blood in this city than in any other in America. It will appear strange—but so wedded are they to old customs, even to John Bullism—that it is not more than seven or eight years that French

wines have been put upon the Boston tables, and become in general use in this city.”—Vol. i. p. 86-7.

In a state of society so essentially artificial—so absurdly imitative as that of the large towns—it must be evident that no very clear conception can be gained of the general character of the American people. To gain that, the traveller must go among the independent yeomanry of the country. Though Captain Marryat, according to his own statement, did not enter much into the society of the cities, it does not appear that he saw much of the class to which we allude; and, as we have already said, nearly half of his three volumes is made up of his remarks on the institutions and social state of the country. Mr. Murray, on the other hand, saw a good deal of the *élite* of American society, and not a little of the “bone and muscle” of the country, whereof we shall here and there glean an anecdote.

Mr. Murray, we must remind our readers, did not go to write a book; at least, nothing appeared which could have induced the Americans to believe that there was in the person of Mr. Murray

“Ane amang them takin notes.”

He was not a professed and known author; he was simply an educated English gentleman—English to the undistinguishing American eye, albeit he is Scotch—well introduced, travelling for his own amusement and instruction; and who might or might not write a book—for now-a-days that must always be regarded as a possible, not to say probable, contingency—on his return to his own country.

Touching the book that Mr. Murray has written, we cannot conceive that the most sensitive American will find aught to complain of therein. An admirably liberal spirit breathes through every page. It is impossible to read it without coming to the conclusion that it is emphatically the work of a gentleman. Accuracy of observation, excellent sense, marked generosity of disposition, and admirable temper, are displayed throughout. At the same time there is no disposition to abstain from stating what he thinks amiss, although he is singularly free from pretension of any kind; and the result is, he has produced a most instructive, amusing, and delightful book to read.

Captain Marryat speaks of the *hospitality* of the Bostonians; he means hospitality according to the common acceptation of the term. Here is a sample of hospitality of a much more

exalted kind,—not the hospitality of the “*élite* of society,” but that which we affirm the traveller will meet with daily and hourly among the great body of the American people, in, we believe, every state of the Union.

Travelling over the wretched roads between Washington and the western part of Virginia, Mr. Murray meets with a disaster. One of the wheels of the waggon stuck in the mud, and became “positively annihilated.” At this juncture our traveller meets with a good-humoured nigger, whom he leaves in charge of the waggon and one of the horses.

“I threw myself on the back of the other,” says Mr. Murray, “which I had unharnessed, and galloped back to a house that I remembered to have passed at a distance of a mile from the scene of my catastrophe.

“On arriving, I entered the first room, and presented my dripping and suppliant form to the landlord of the tavern—for such it was. He proved very deaf to my voice; *not* so to my entreaties, for after I had bellowed in his ear a detail of my accident,—which elicited sundry suppressed giggles and malicious smiles from one or two personifications of mischief in petticoats, who were in the adjacent room,—the old gentleman told me that I was welcome to his servant, horse, and cart, to transport my luggage to the city, and that he should charge me nothing. I think it right to record this among the many refutations (which my experience affords) to the accusations of rudeness so frequently and unjustly brought against the Americans.”—Vol. i. p. 113.

There is, undoubtedly, on the part of the great mass of the people of America, a species of abruptness of manner—a sort of “I’m as good as you” air, which is, at first, offensive to the half-spoiled John Bull, fresh from the obsequious servility of the English tradespeople towards their “betters;” but it is equally certain that this “rudeness,” as some choose to call it, is not inconsistent with real kindness to strangers, especially to those who require aid. That aid must however be requested—as alone it will be given—as from an equal. If ordered in the haughty tone which inexperienced English travellers are wont to use towards such persons as innkeepers and their servants, the chances are greatly in favour of its being withheld. The writer of this article has often made really most unreasonable requests—that is, considering the customs of the country—of American innkeepers, and he never remembers to have been disappointed in getting what he required; but he never *ordered*—he always *requested* that what he wanted might be done. On this point let Mr. Murray speak:—

“Another thing I am bound in candour to say,—namely, that the

descriptions hitherto given by travellers of the accommodations at the taverns in the more remote parts of the country, have been highly coloured to their disadvantage. In travelling for the last fortnight, with my own horse and waggon, I have stopped at three or four different places in the course of each day, and have gone through a great portion of the most unsettled country in New York, Vermont, and New Hampshire: in many instances the taverns have been very small, but I have never had reason to complain of want of cleanliness, good victuals, or civility. I have asked at the most unseasonable hours, both early and late, for breakfast, dinner, and supper, and in the course of ten minutes have always been supplied with a beefsteak, potatoes, bread and cheese, butter, eggs, and tea or coffee. The beds have been clean; and whenever I asked for two or three towels, instead of the one placed in the room, they have been furnished without any hesitation, or extra charge. All that a traveller requires is a sufficient knowledge of the world, to prevent his mistaking manners for intention,—and a sufficient fund of good temper in himself, to keep him from being irritated at trifles. Upon entering or driving up to a tavern, the landlord will sometimes continue smoking his pipe without noticing your entrance; and if you ask whether you can have dinner, you may be told, ‘Dinner is over, but I guess you can have something.’ If you are a true John Bull, you will fret and sulk; and silently comparing this with the bustling attention and *empressement* of an English waiter or boots, you walk about by yourself, chewing the cud of your wrath: but if you are a traveller, or formed by nature to become one (which John Bull is not), you will take this reception as you find it, and as the usage of the country, and in a few minutes he of the pipe will be assisting to arrange your baggage, to dry your wet great coat; and a tolerable dinner will be in preparation.”—Vol. i. p. 96.

The disposition of the American yeomanry—as we chuse to call them, for want of a better name—to render assistance to those who are in need of it, with unexampled cheerfulness, the writer of this article has repeatedly experienced. On one occasion, he and a fellow stage-passenger were rescued from a situation of great peril by the courage and perseverance of a labouring farmer of Vermont. We had left St. John’s, a frontier town of Canada, situated at the northern extremity of Lake Champlain, at five o’clock on a January morning, on our way south. A considerable fall of snow had taken place during the night, and the yet unbeaten roads were so heavy, that the ordinary stage—a sort of *Diligence* on runners, instead of wheels—was exchanged for a light *Lumber Sleigh*,—a mere light box on runners, drawn by the four stage-horses. Soon after starting, it again began to snow; soon it increased to a heavy snow-storm, and so it continued the whole day. It

seems that arrangements had been made to drive the horses a long stage of twenty-four miles; and, notwithstanding the state of the roads, they were not changed until they had accomplished it. The reader may form some idea of the difficulties of our position, when he learns that we were nineteen hours doing this tedious and distressing journey.

Our route lay across the head of Missisquoi Bay, on Lake Champlain, which we did not reach until after dark. We had not got a mile from the north-west shore, before the jaded horses became utterly unable to drag the sleigh out of the deep and still deepening snow. Fortunately, we were slightly under the lee of the north-eastern line of shore, clothed with pine-trees, the black line of which we could just discern. Every expedient was now tried to improve our position, such as treading down a track, seeking out another route, gently urging the miserable and worn-out beasts, and, lastly, shouting at intervals, so as to attract assistance from the shore. For a time all seemed useless, and we began to think of a dreary night upon the ice, when the familiar sounds of an ox-team driver caught our ears. He soon came up, and it turned out that he was a Vermont farmer, who had been drawing saw-logs in the forest, and was returning home by the margin of the bay, when he heard our shouts; and knowing that we must be out of the track, and that there was open water not far south of us, a notion that we might want his assistance induced him to join us. The result is soon told. The oxen were yoked in front of all, and literally dragged sleigh, baggage, and horses to boot, first, into the proper track on the lake shore, to a road-side tavern, where we had a reasonable share of comfort. It should be observed that this extrication was not accomplished without difficulty and fatigue: continually did we miss the track after we had regained it. At times the snow was required to be trodden down, to help the passage of the sleigh; and we were continually retarded by the inability of the horses to do anything more than move one foot before the other; but the courage and perseverance of our friend seemed imperturbable: with us and for us did he labour for hours; and when at length he had placed us in safety and comfort, nothing could induce him to take reward. As he certainly brought to the work powers superior to ours, he may be pardoned if he felt as our equal; and, although he assuredly had not the servile obsequiousness of an English peasant, it was impossible not to be sensible that he was imbued with feelings of the most genuine hospitality, superior far to those by

which the Bostonians are actuated, in the manner described by Captain Marryat.

Akin to the error of confounding classes of the Americans, is that of confounding the people of the different parts of the Union. Nothing can possibly differ more than the manners, customs, and modes of thinking of the Virginians from those of the New Englanders; and the people of the western states differ as much from both. These differences have scarcely been as yet recorded, still less have they been accounted for.

Perhaps the original source of these differences should be sought in the nation and class whence the people of the several states sprung. New England, for instance, was settled by Englishmen of the middle class, traders and others, who had been persecuted for their opinions, religious and political. The strength of the trading propensity, and a sense of religion, amounting almost to fanaticism, are accordingly the salient points of the New England character. Virginia, on the other hand, was settled by men of higher rank—by “gallant cavaliers” and their dependants. The Bostonians, as we have seen, call themselves English; but it seems more like an imitation of English,—and, to our notion, not a very faithful imitation. In Virginia, on the other hand, are to be found many of the aristocratic fashions and habits of the old country, modified, doubtless, by the new influences,—such as political equality of the whites, and slavery of the blacks.

Kentucky, again, though settled from Virginia—thence affectionately called the “old dominion” by the Kentuckians, as England is called the old country by all—differs greatly in the character of her people from her. The first settlers of Kentucky were the pioneers of the west; they drove the sons of the forest before them, and were therefore perpetually liable to attack from those whom they wronged. They ploughed with the rifle in their hand, and they became expert in its use beyond all parallel. Occasionally their wives and daughters would be carried off; and great and many were the perils they endured to defend or recover them. The Kentuckians are now distinguished for a chivalrous devotion to their women, for bravery, and for a degree of skill in the use of the rifle, which has become a proverb.

In the states which were originally settled by the Spaniards, some of the habits of that nation prevail; and we think it will be found that in all cases the distinguishing features observable, as characterizing the people of different states of the Union, may be traced to their origin;—nation and class, both con-

sidered, modified by the new influences to which they are subjected,—such as slavery, climate, the abundance of fertile land, increased privileges of self-government producing self-reliance in all things—the course of a river carrying the manners of one section of the country along its borders,—and so forth. A review article is not the place to work out a theory; we merely throw out a hint of an interesting path of enquiry for future travellers. Captain Marryat seems to have caught a glimpse of it, but without entering upon it; perhaps he may do so in his promised volumes. Mr. Murray occasionally touches upon the difference of character observable in different parts of the Union; and although he does not pretend to go deeply into causes and effect,—although he is but little prone to philosophize,—his remarks are generally sensible and acute.

“It appears to me,” he says, “from the limited opportunities that I have enjoyed for observing, that no two bordering states in the Union differ so much in the character of their population as Ohio and Kentucky. This difference is partly occasioned by the following causes: First, Kentucky is a slave state; Ohio is not. Secondly, Ohio was chiefly settled by Germans, New Englanders, a few British” (*quære*, what class of British?—for that is an important item in the account); “and, in short, an industrious agricultural class; while Kentucky was chiefly settled by the western Virginians, a wild, high-spirited, and somewhat rough tribe of hunters. Thirdly, The soil of the two states tends to the distinction between them, which I have partly attributed to their origin.

“Ohio contains, probably, a higher average of good arable land, compared with its whole extent, than any other state in the Union; so that the bear, the wolf, and even the deer, are almost banished from their woods, and agriculture forms the chief employment of the people; while Kentucky, although boasting of a fine soil, some tracts of great fertility, and a luxuriant growth of timber, has still large portions of country only trodden by the foot of the hunter, and that of the various objects of his pursuit. These causes (probably combined with others which I have omitted) have produced a wide and marked difference of character. The Ohians are quiet, industrious, peaceable people, carrying the ‘republicanism of democracy’ (as their German newspapers call it) to its highest pitch; but too far removed from the scene of action, and not sufficiently congregated, in manufacturing or commercial masses, to give to their political feelings the bitterness and personality so prevalent in the east. There is no material difference in the forms of government of the two states, except that in Ohio the government and senators are biennially chosen, whereas in Kentucky they are elected for four years; in both, the house of representatives is annually elected by

what may be called universal suffrage, *i. e.* every citizen, being twenty-one years of age, and resident in the state.

“The character of the Kentuckians has greater merits and greater faults; their moral features are more broadly and distinctly marked. Descended, as I before said, from the western hunters, and some of them from the more wealthy planters of Virginia and North Carolina, they are brave, generous, proud, frank, and hospitable—not mere dinner-givers, in Captain Marryat’s sense, but hospitable in the largest sense of the word—but apt, at the same time, to be rough, overbearing, and quarrelsome. They are extremely vain of their state, and inclined to play the braggart, as well in her praises as their own. The former fault, *I*, for one, can freely forgive them; as the want of local, or home attachment, is one of the least agreeable features of American character. They are, moreover, pretty strongly imbued (probably through their Virginian descent) with a taste for gambling, horse-racing, &c., which is perhaps strengthened by their frequent intercourse, on their northern and western frontier, with the numerous gamblers and “sportsmen” who come up the river, in spring and summer, to avoid the heat and malaria of New Orleans and the adjacent country.”—Vol. i. p. 212.

Mr. Murray writes in terms of the strongest reprobation of the “cowardly and almost universal practice of carrying the dirk-knife.” This, we apprehend, was originally the mere *couteau de chasse*, part of the necessary paraphernalia of the “hunters of Kentucky;” but the great highway of waters—the Mississippi—hath, in our view of the matter, deposited upon the various countries lying upon its banks, the pernicious customs and habits of the old Spanish settlements. Be that as it may, the use of the bowie-knife is very general in Kentucky and many other states, and, we are grieved to add, it is now exposed for sale in the shops of London, and is occasionally used, too, in night brawls, as the police reports will testify. Mr. Murray writes in praise of the *fair play* of the English,—let us hope that the praise may never be misapplied. He says,—

“One feature that I have always admired in the English character, and, indeed, have looked upon with envy (as my own countrymen, especially the Highlanders, have it not), is their contempt for all lethal weapons, and their honest, determined support of fair play in all personal rencontres. If a combatant in England were to practise any ‘rough and tumble’ tricks, such as kneeling upon a man’s throat or chest, when on the ground, or gouging or biting, he would receive a hearty drubbing from the spectators, and conclude the entertainment (in my opinion, very deservedly) in the nearest horsepond in which he could be immersed. I trust that the progress of civilization, and increasing weight of sounder public opinion, will

soon put a stop to the custom above censured, which is not confined to Kentucky, but is more or less prevalent in the whole valley of the Mississippi, especially in Louisiana."—Vol. i. p. 215.

The effect of the Mississippi and the Missouri* operating upon an essentially migratory people, in spreading the customs of one spot over a long line of country, must be very remarkable. It must, however, be a power that is efficient for good as well as for evil; and if the Kentuckian has been taught by the Louisianian to use his hunting knife against his fellow-man, it is not unreasonable to infer that the generosity, frankness, and hospitality (*Murray*, p. 211,) of Kentucky have been diffused by the same means.

Of all the travellers in America who have favoured the British public with their tortuous and flimsy views, Mrs. Trollope is assuredly the most prejudiced, the most jaundiced, the most ill-natured, the most unjust, and, we believe, the most dishonest. Her book is an accumulation of errors, mixed up with just sufficient truth here and there to give it an air of plausibility, but which never approaches *vraisemblance*.

"As far as my short visit here," says Mr. Murray, "enabled me to judge, her [Mrs. Trollope's] accuracy of description is upon a par with the monuments which she has left here of her speculative sagacity and taste. If the proposition stated is merely this: 'that the manners of Cincinnati are not so polished as those of the best circles in London, Paris, or Berlin; that her luxuries, whether culinary or displayed in carriages, houses, or amusements, are also of a lower cast;' I suppose none would be so absurd as to deny it; I hope few would be weak enough gravely to inform the world of so self-evident a truth; but I will, without fear of contradiction, assert that the history of the world does not produce a parallel to Cincin-

* Of these two great and remarkable rivers, Mr. Murray thus writes: "All travellers in this part of the world have agreed, that the Missouri has been ill-used in having its name merged after its junction with the Mississippi, whereas it is the broader, the deeper, the longer, and, in every respect, the finer river of the two: the cause of this apparent incongruity was explained to me in a manner equally simple and satisfactory. When the French first visited this great valley, they came from Canada, and descended the Mississippi: and seeing another river fall into it at right angles, near St. Louis, they naturally viewed it as a tributary to the mighty stream, whose course they followed, and whose name they preserved; forgetting that in the natural as well as in the political world, the tributary may often possess more power than he to whom he is supposed to owe fealty."—(*Murray*, 233-4.) We would observe, that the straight course of the Mississippi may have suggested a continuance of the name, although the Missouri be deemed the parent stream. By the way, is it not what the French call a *scandale*, to call the *Missouri* the parent? if such be really the case, should we not forthwith call her the *Misses-souri*, and the daughter-stream, so to speak, the *Mis-sippi*. As the Americans are so extremely sensitive on such delicate points, we suggest the alteration forthwith.

nati in rapid growth of wealth and population. Of all the cities that have been founded by mighty sovereigns or nations, with the express view to their becoming the capitals of empires, there is not one that, in twenty-seven years from its foundation, could show such a mass of manufacture, enterprize, population, wealth, and social comfort, as that of which I have given a short and imperfect outline in the last two or three pages, and which owes its magnitude to no adscititious favour or encouragement, but to the judgment with which the situation was chosen, and to the admirable use which the inhabitants have made thereof."—pp. 205-6.

The secret of Mrs. Trollope's animosity is to be found in the total failure of a speculation she entered into at Cincinnati, in the shape of a bazaar, which she attempted to set up there. The Cincinnati folk would not patronize the bazaar, and the libel was penned to punish them. The "folly" is thus described by Mr. Murray:—

"The building, which is the most absurd, ugly, and ridiculous in the town, exhibiting a want of taste and invention only equalled by the contempt which it displays for every rule of architecture, Gothic or classic, is the bazaar, built by Mrs. Trollope; a lady who did all that lay within the power of her clever and caricaturing pen to hold up the inhabitants of Cincinnati to the ridicule of the civilized world, as regard their manners, habits, and taste. This bazaar is a nondescript edifice of brick, with a stone or imitation stone face: it has pillars, a cupola, Gothic windows, surmounted by German architraves and scraps of every order (or disorder) from a square brick *box* to an Ionic volute! Neither can I compliment the lady's sagacity more than her taste; as in this thriving city *her* speculation is probably the most signal and complete failure that has occurred since its settlement! After losing the greater part of the money embarked in it, she was obliged to leave it unfinished."—Vol. i. 204.

It seems to be the delight of all political travellers, to discover or point out, that, after all, the government of America is an experiment of short standing—some fifty or sixty years; and that consequently no inference as to its future duration can be drawn from the experience of the past. Captain Hall, who wrote about a dozen years since, cut it down still further, by contending that the federal government in its present form, dates only from the amendment of the constitution in 1789. Captain Hall also contends that the framers of the constitution intended to establish a republic, not a democracy. Captain Marryat endeavours to support the same distinction; and, moreover, evinces the same prurient desire to impress his readers with a due sense of the short duration of the experiment. He says:

“Miss Martineau asserts that ‘America has solved the great problem that a republic can exist for fifty years,’ but such is not the case. America has proved that under peculiar advantages a people can govern themselves for fifty years; but if you put the question to an enlightened American, and ask him ‘Were Washington to rise from his grave, would he recognize the present government of America as the one bequeathed to them?’ and the American will at once answer in the negative. These fifty years have afforded another proof, were it necessary, how short-sighted and fallible are men—how impossible it is to keep anything in a state of perfection here below. Washington left America as an infant nation, a pure, and, I may add, a virtuous republic; but the government of the country has undergone as much change as anything else, and it has now settled down into anything but a pure democracy.”—Vol. i. p. 29.

It is a very easy thing to draw a distinction between a republic and a democracy, and then to assert that the framers of the American constitution intended to establish the one and not the other. What was intended cannot well be ascertained; but what ought to have been anticipated may be: and as the framers of the American constitution were men of great intelligence, we may presume that they did not act without carefully weighing the probable effect of every clause they introduced. Now, what the framers of the constitution had to do, was to *propose*—not arbitrarily to *fix*—the terms on which the several American independent communities would be willing to join in a federal union of the whole. Of course they would be careful to propose nothing which would be likely to be unpalatable to those who were to be the parties to the agreement. In order to do this, it was of course necessary to understand these parties. Now, as these parties were so many *representative democracies*, the framers of the constitution would have betrayed great ignorance had they anticipated, as Captain Marryat supposes them to have done, that any thing but a great federal democracy could have been made out of such materials.

Captain Marryat admits that America has proved that a people may govern themselves for more than fifty years. May we not go further, and say that America has proved that a people which has once governed themselves can never afterwards be ruled? The *peuplades*, or small communities of the New England States, were fortunate enough to obtain from Charles II thoroughly democratic charters—so democratic indeed, that Rhode Island governs itself to this day by Charles’s charter. Under these royal charters, representative democracies were established, which worked admirably, until

an attempt was made to break in upon their democratic privileges,—whereupon they resisted. George III and his government having conceived an unjust scheme, had the folly to adhere to it; the resistance was continued, and the American democracies confirmed their ancient privileges by the Declaration of Independence.

Other states, with institutions less democratic, but with a state of society equally favourable thereto, became enamoured of the New England democracies, and the revolution became general. Now in speaking of the duration of democratic government in America, a great error is committed by him who dates only from the year 1776. A degree of social equality unparalleled in any other country, and a habit of self-government taken thither by the Plymouth pilgrims themselves, warrants our dating democracy in America from the first planting of the New England colonies. And so it is with Canada. We may retain the name of monarchy there, we may keep up standing armies at an expense of several millions annually to this country, but we cannot destroy the democratic character of the people. Their social state is democratic, and democracies, *eo nomine*, will be established in both the Canadas before many years, and that, too, by the so-called British population—the loyal population now so implicitly relied on by the dominant party in Canada, and their friends here.

Captain Marryat speaks of a republic, as distinguished from a democracy, in a most vague and unsatisfactory manner. If he attach to the term republic an arbitrary meaning; if he use the term vaguely as signifying anything but a representative democracy—any other kind of democracy being simply *impossible* in a numerous community—he may call Russia or Austria republics, if he please, as he actually calls England, and no one can dispute with him; but in ordinary parlance, when a republic is mentioned, it is understood to stand for a government elective in all its legislative, and in its chief administrative branches,—and that is what we call a representative democracy, which many of the states were anterior to the revolution.

In the paragraph following that which we have just noticed, Captain Marryat alludes to a republic in the following vague terms :—

“I know not whether my distinction is right, but I consider, when those possessed of the most talent and wisdom are selected to act for the benefit of a people, with full reliance upon their acting for the

best, and without any shackle or pledge being enforced, we may consider that form of government as a republic, ruled by the most enlightened and capable.”—p. 30.

The inference is, that Captain Marryat shares in the opinion expressed by so many, that the best men are not chosen to office in America, but that the least capable find their way into the senate, and all other positions, where the people have any power, direct or indirect, of placing them. This, we apprehend, arises from not considering *all* the qualities requisite to the due performance of public duty. If a man is very clever and very eloquent, and absolutely full of knowledge, but deficient in political honesty, he might possibly be rejected in America, and would thereby give rise to complaints, that capable men were not chosen. Blackstone tells us, that honesty is the distinguishing mark of a democracy; and up to this principle the American democracies act, by rejecting all men who have not that important qualification in perfection. The private journal, from which we have already quoted, contains some remarks on the subject, which we shall take leave to quote at length.

“ It has been stated by some recent writers, that the best men in the United States are not chosen either as legislators or to fill executive or judicial offices. If the writers had said *all* the ablest men are not so chosen, they would have been correct; but then their remarks would have applied equally to every country, and every system of government. As it stands, I believe the remark to be in no way warranted by facts. I believe the government of the United States, and also that of the several states, to be more essentially in the hands of the ablest men, than the government of this country, or of France. There are not many names sufficiently known in this country to be brought forward as examples, but I will mention one, whose ability no one will dispute,—I mean Edward Livingston. This good and great man enjoys the highest reputation among European philosophers, but in what manner was that reputation gained? Simply because the people of his own country had previously recognized his merits, and the representatives of one of the states—Louisiana—had commissioned him to draw up that very code* to which his European reputation is owing. But this is not all. Under the administration of Jackson, Mr. Livingston was nominated minister at Paris, simply because he was a man of extraordinary mental powers, and of great acquirements. Now, did any man ever hear of a man of similar acquirements being appointed by the English government to either of the services filled by Edward Livingston? Have the services of John Austin, or James Mill,

* A penal code for Louisiana.

being engaged for the task of improving our law, or are either of those philosophers likely to be appointed to diplomatic offices?*

If Mr. Bentham had lived in America, I am convinced his labours would have been made directly available to his country long before his death.

“The case of Edward Livingston is not a solitary case. I am certain, were it possible to discuss every public name in America, it would be found, that the democratic form of government, as it exists there, is more conducive to the employment of the best men, than the aristocratic governments of France and England.

“Among the men of acknowledged ability who have been repeatedly rejected by their countrymen as candidates for office, the most conspicuous, at the present time, are Henry Clay, Daniel Webster, and Calhoun.

“These men, and their friends and partisans, are in the habit of giving out, that they have been rejected because their countrymen are unable to perceive their commanding abilities. There are, however, some good reasons for their rejection, which I will state,—reasons which I think, and as a well-wisher of America *hope*, will continue to cause their rejection to the end of their lives.

“The presidential election between Jackson and the younger Adams, in 1824, was a struggle between two great parties acting on different principles,—namely, the *federalists* and the *democrats*. Jackson was the democratic, and therefore the popular candidate; Adams was the federal, or would-be aristocratic candidate.

“In favour of Jackson there was a large majority of votes, but there was not a sufficient majority to determine the choice,—the constitution requiring a full majority of all the electors. Thus, if there be 10,000 electors and five candidates, there can be no election by the people unless one of the candidates has 5001 votes. In the case in question, the election was consequently removed to the house of representatives. Here the votes are taken by states, and Henry Clay gave the casting vote in favour of Adams,—the federal, and therefore anti-popular candidate. This the Americans never have forgiven, and, I believe, never will forgive. The article of the constitution (Art. 12, § 1) requiring a clear majority, and removing the election to the house of representatives in default thereof, is decidedly unpopular, and the man who becomes the instrument by which the said provision is carried into effect, shares in the odium which attaches thereto. An additional source of Henry Clay’s unpopularity, was his acceptance of a lucrative office under the anti-popular government, immediately after Adams’s inauguration. The democratic party is now, and is likely to continue, all powerful,—and had Clay ten times the ability he is known to possess, he would assuredly not find favour with the people, to whose principles he is opposed.

* Since this was penned, Mr. John Austin has had a paltry mission to Malta; Mr. James Mill, alas! is dead.

“ Daniel Webster is another instance of a man of considerable ability and high acquirements being the rejected of the people : and he, like Henry Clay, has an enduring sin upon him. Webster is a man of great eloquence, but not of highly philosophic mind ; he is, nevertheless, just the man whom his countrymen would delight to honour, but they will not trust him. His name is associated with the Hartford Convention,—a body opposed to the war of 1812-15, and which evinced a disposition to become treacherous to the very union, rather than that the thrifty sons of New England should be deprived of their commercial gains by a rupture with Great Britain. His friends deny that he was connected with the unpopular convention ; they say that he was too young to take any prominent part therein,—but the stain cannot be wiped away, and Daniel Webster will never enjoy the confidence of his countrymen ; though they acknowledge his eloquence and his abilities, and, indeed, assign him a higher place, compared with such men as Livingston, than he would enjoy among educated men in this country.*

“ Calhoun is one of the best speakers in the United States. He differs from Clay and Webster in many particulars, especially in the unpretending character of his eloquence. His speeches are addressed to the reason and understanding of his audience, and his power of influencing his hearers is great. In every respect he is an able man ; but his unforgiven sin is *nullification* ; that is, he was and is an advocate for “ states rights,” even against the integrity of the union. The existing cause of this question between the Carolinas and the general government was the tariff. As far as the tariff is concerned, the nullifiers are right. The oppressive character of this tariff on all the non-manufacturing states, caused the constitutional right of the general government to impose duties for any other purpose than that of revenue, to be called in question, and Calhoun was one of those who opposed the general government. This made him unpopular even with those who think, that in imposing duties for the purpose of protection, the general government has exceeded its constitutional powers, but who still stop short of *nullification*. As more correct notions of political economy gain ground in America, Calhoun’s unpopularity will die away.

“ M. de Tocqueville expresses an opinion contrary to what I have stated ; but I know he was much in the company of a gentleman who has repeatedly failed to ingratiate himself with his countrymen, and it is not unfair to suppose, that his opinions may have been influenced by the gentleman in question. Whenever an able man in the United States fails to acquire the suffrages of his countrymen, or to obtain employment under a democratic administration, I think it will be invariably found, that there exists some good reason for his rejection.”—*Private Journal*.

We have already stated, that nearly half of Captain Marryat’s

* Mr. Webster has since visited London, where he has been the *fashion*.

volumes, consists of separate essays,—discussing various subjects of interest in America,—language, law, penitentiaries, army, religion, &c. These essays are very unequal in point of merit. Many of them are puerile, shallow, and in the worst possible taste; whilst one or two display great liberality, enlarged views, and freedom from vulgar prejudice, which in one or two cases would have been excusable. Nothing could well be worse than the essay on language, unless it be that entitled “Law.” The remarks on the language are a collection of puerilities in the shape of worn-out jokes, and “weak inventions of the enemy,” respecting the peculiarities of the Americans in pronunciation and phraseology. Take a few examples of the silly things which have served to amuse Captain Marryat, and with which he, in his turn, seeks to amuse his reader. Some one, he tells us, had taken a liberty with the word *tantamount*, which he had called *catamount*; his neighbour had corrected him, whereupon the male Malaprop is thus reported to have replied: “No, sir, I do not mean *tantamount*; I am not so ignorant of our language as not to be aware that *catamount* and *tantamount* are anonymous.” The joke would have been no less applicable had it been fathered upon some rich worthies nearer home. On one occasion, a merchant was regretting he had not entered into a certain speculation. “Sir,” said he, “if I had done so I should not only have *doubled* and *trebled*, but I should have *fourbled* and *fivebled* my money.” There is an explanation of much slang, which is amusing enough; but the fault is, that it is not explained to be slang, and it might be inferred that the Americans have no other language.

The essay entitled “Law” is any thing but an account of the state of the law in America. Of the *thirty-three* pages which it fills, no less than twenty-one are occupied with a report of the doings of an ignorant yet self-sufficient recorder of New York; and this is imposed upon his readers as a description of the state of the law in the United States of America.

Turn we now to something in a better spirit. The chapter on “Lynch-law” is the best in the book. It exhibits much liberality, and is, moreover, accurate in the facts stated, though it contains, in one respect, a radically erroneous view, which we shall presently point out.

“Englishmen,” says Captain Marryat, “express their surprise, that, in a moral community, such a monstrosity as Lynch-law should exist; but although the present system, which has been derived

was exulting as he left the court, but he was told—"It is true you have been acquitted by Judge Smith, but you have not yet been tried by Judge Lynch."

We now come to the other variety of Lynch law, where the people "will not wait for the law, but, in a state of excitement, proceed to summary punishment." Of this variety we select the following case, which has often been before the public.

"The case more than once referred to by Miss Martineau, of the burning alive of a coloured man of St. Louis, is one of the gravest under this head. I do not wish to defend it in any way, but I do, for the honour of humanity, wish to offer all that can be said in extenuation of this atrocity; and I think Miss Martineau, when she held up to public indignation the monstrous punishment, was bound to acquaint the public with the cause of an excitable people being led into such an error. This unfortunate victim of popular fury was a free coloured man, of a very quarrelsome and malignant disposition; he had already been engaged in a variety of disputes, and was a nuisance in the city. For an attempt to murder another coloured man, he had been seized, and was being conducted to prison in the custody of Mr. Hammond the sheriff, and another white person who assisted him in the execution of his duty. As he arrived at the door of the prison, he watched his opportunity, stabbed the person who was assisting the sheriff, and then, passing the knife across the throat of Mr. Hammond, the carotid artery was divided, and the latter fell dead upon the spot. Now, here was a wretch who, in one day, had three times attempted murder, and had been successful in the instance of Mr. Hammond the sheriff, a person universally esteemed. Moreover, when it is considered that the culprit was of a race who are looked upon as inferior; that this successful attempt on the part of a black man was considered most dangerous as a precedent to the negro population; that owing to the unwillingness to take away life in America, he might probably have escaped justice; and that this occurred at a moment when the abolitionists were creating such mischief and irritation; although it must be lamented that they should have so disgraced themselves, the summary and cruel punishment which was awarded by an incensed populace, is not very surprising. Miss Martineau has, however, thought proper to pass over the peculiar atrocity of the individual who was thus sacrificed: to read her account of the transaction as if he were an unoffending party, sacrificed on account of his *colour* alone."*—vol. iii. p. 239-40.

The reader will now be enabled to understand what Lynch

* Captain Marryat often permits himself to speak in terms of disrespect of Miss Martineau. It must be admitted, that where slavery is concerned, Miss Martineau evinces a strong bias; but notwithstanding that, her work is by far the best that has appeared on the subject of the United States, the people, and their institutions,—and, to Captain Marryat's, immeasurably superior.

law is. With the exception of a few cases, Lynch law is, what the Plymouth Pilgrims formerly established, and what the New Zealand colonists must establish in 1840; and a good law it is. Generally the punishment follows the crime, without much delay, and in cases of *regular* Lynch law it is duly measured, that is, proportioned to the offence. Captain Marryat says it sometimes falls on the innocent, but he gives no case, and our own recollection does not recall a single instance where punishment was not fully deserved. The cases of the *irregular* infliction of Lynch law are, we repeat, exceptions to the general rule, yet they have their parallel in this, and, indeed, in all other, countries. Mr. Murray expresses great horror (vol. ii. p. 108) of Lynch law, because he does not clearly perceive the distinctions pointed out by Captain Marryat; and both leave out one important feature, which should be brought within view:—we allude to the fact that, in America, the people are sovereign—they are what the Crown is in this country, the fountain of justice. Hence in assembling and declaring the law, and organizing tribunals, they do not violate the lawyers' sense of constitutional propriety. The Lynch law of the new communities of America, therefore, is more *regular* than that which the New Zealand colonists will establish in 1840, but we are sure the latter will want nothing in efficiency.

Inferior to his chapter, or rather essay, on Lynch law, though not without considerable liberality, is the paper on Religion. Our remarks and extracts have already extended so far, that we must abridge our gleanings from this interesting chapter.

Captain Marryat is opposed to the voluntary system. Admitting the abstract right of every one to worship his God as he pleases, he contends that,

——“the results of this free will are, in a moral point of view, as far as society is concerned, any thing but satisfactory. * * The voluntary system in America,” he continues, * * “has broken one of the strongest links between man and man; for each goeth his own way. As a nation, there is no national feeling to be acted upon; in society, there is something wanting, and you ask yourself what it is? and in families it often creates disunion. I know one, among many others, who, instead of going together to the same house of prayer, disperse as soon as they are out of the door; one daughter to an Unitarian chapel, another to a Baptist, the parents to the Episcopalian, the sons anywhere or nowhere. But worse effects are produced than even these: where any one is allowed to have his own peculiar way of thinking, his own peculiar creed, there neither is a

from the original Lynch-law, cannot be too severely condemned, it must, in justice to the Americans, be considered, that the original custom of Lynch-law was forced upon them by circumstances. Why the term Lynch-law has been made use of I do not know ; but in its origin, the practise was no more blameable, than were the laws established by the Pilgrim-fathers, or any law enacted amongst a community left to themselves,—their own resources, and their own guidance and government. Lynch-law, as at first constituted, was nothing more than punishment awarded to offenders by a community who had been injured, and who had no law to refer to, and could have no redress if they did not take the law into their own hands ; the *present* system of Lynch-law is, on the contrary, an illegal exercise of the power of the majority, in opposition to, and defiance of, the laws of the country, and the measure of justice administered by those laws.”—vol. iii. pp. 226-7.

According to Mr. Murray, the term Lynch-law is taken from the name of a person who was formerly chosen judge in one of the courts which necessity compelled early settlers to constitute. We remember to have heard something of the kind, with the addition, that he was a man of high integrity, well suited to the office. Mr. Murray thus speaks of Lynch-law :—

“ During the last few years, the settlements on the Mississippi have increased so fast, that the number of law courts have been found too few and dilatory [there were often none at all in the new settlements of the western country], and the inhabitants have, in many places, assembled together, assumed the sovereign authority of the law [it is no assumption in America, where the sovereignty resides constitutionally in the people], appointed a judge Lynch, and a jury, from among themselves, and have punished, and frequently hanged, those brought before them. In the case above-mentioned [the trial, condemnation, and execution of an atrocious murderer], few could pity the miscreant, or blame his executioners ; but when the question is viewed on broad political or moral principles, it is impossible to conceive a more horrid outrage upon law, justice, or social order, than this kind of self-constituted court, taking upon itself, in a civilized country, to decide upon life and liberty.”

These expressions are too strong, and involve a misconception, as we shall presently show. In the meantime, we return to Captain Marryat. The new communities, which establish themselves on unsurveyed territory, as *Squatters*, with a right of preemption when the land on which they have settled is surveyed and brought into the market, often grow to a considerable extent—become populous, wealthy, and intelligent, before they can be recognized. Such unrecognized communities,—

——“ had no appeal against personal violence, no protection from rapacity and injustice. They were not yet within the pale of the union; indeed there are many even now in this precise situation (that of the Mississippi for instance), who have been necessitated to make laws of government for themselves, and who, acting upon their own responsibilities, do very often condemn to death and execute.* It was, therefore, to remedy the defect of there being no established law, that Lynch law, as it is termed, was applied to; without it, all security and social happiness would have been in a state of abeyance. By degrees, all disturbances of the public peace, all offenders against justice, met with their deserts; and it is queried whether, on its first institution, any law from the bench was more honestly or impartially administered than this very Lynch law.”—vol. iii. p. 227.

The following sample is given of the application of Lynch law, in a case justifiable in every respect:—

“ A circumstance occurred, within these few years, in which Lynch law was duly administered. At Dubuque, in the Joway district, a murder was committed. The people of Dubuque first applied to the authorities of the state of Michigan, but they discovered that the district of Joway was not within the jurisdiction of that state; and, in fact, although on the opposite side of the river there was law and justice, there was neither to appeal to. They would not allow the murderer to escape; they consequently met, selected among themselves a judge and a jury, tried the man, and, upon their own responsibility, hanged him.”—vol. iii. p. 231.

Besides the necessary and justifiable Lynch law, Captain Marryat divides the Lynch law which is practised where regular law prevails, under two different heads. 1st, where the punishment awarded by the courts is deemed insufficient; and, 2nd, where the people will not wait for the law to act, but at once inflict punishment with their own hands.

Captain Marryat gives several instances of supplementary punishment; as, where a murderer of his wife escaped because negroes only were witness; Judge Lynch was satisfied with the evidence of the witnesses, though the courts were not. Where a slave-stealer was acquitted through a flaw in the indictment, and similar cases. In the latter case the slave-stealer

* A similar case is to be found at the present day, west of the Mississippi. Upon lands belonging to the United States, not yet surveyed or offered for sale, are numerous bodies of people, who have occupied them with the intention of purchasing them when they shall be brought into the market. These persons are called *squatters*, and it is not to be supposed that they consist of the *élite* of the emigrants to the west; yet we are informed, that they have organized a government for themselves, and regularly elected magistrates to attend to the execution of the laws. They appear in this respect to be worthy descendants of the Pilgrims.”—*Carey on Wealth*.

was exulting as he left the court, but he was told—"It is true you have been acquitted by Judge Smith, but you have not yet been tried by Judge Lynch."

We now come to the other variety of Lynch law, where the people "will not wait for the law, but, in a state of excitement, proceed to summary punishment." Of this variety we select the following case, which has often been before the public.

"The case more than once referred to by Miss Martineau, of the burning alive of a coloured man of St. Louis, is one of the gravest under this head. I do not wish to defend it in any way, but I do, for the honour of humanity, wish to offer all that can be said in extenuation of this atrocity; and I think Miss Martineau, when she held up to public indignation the monstrous punishment, was bound to acquaint the public with the cause of an excitable people being led into such an error. This unfortunate victim of popular fury was a free coloured man, of a very quarrelsome and malignant disposition; he had already been engaged in a variety of disputes, and was a nuisance in the city. For an attempt to murder another coloured man, he had been seized, and was being conducted to prison in the custody of Mr. Hammond the sheriff, and another white person who assisted him in the execution of his duty. As he arrived at the door of the prison, he watched his opportunity, stabbed the person who was assisting the sheriff, and then, passing the knife across the throat of Mr. Hammond, the carotid artery was divided, and the latter fell dead upon the spot. Now, here was a wretch who, in one day, had three times attempted murder, and had been successful in the instance of Mr. Hammond the sheriff, a person universally esteemed. Moreover, when it is considered that the culprit was of a race who are looked upon as inferior; that this successful attempt on the part of a black man was considered most dangerous as a precedent to the negro population; that owing to the unwillingness to take away life in America, he might probably have escaped justice; and that this occurred at a moment when the abolitionists were creating such mischief and irritation; although it must be lamented that they should have so disgraced themselves, the summary and cruel punishment which was awarded by an incensed populace, is not very surprising. Miss Martineau has, however, thought proper to pass over the peculiar atrocity of the individual who was thus sacrificed: to read her account of the transaction as if he were an unoffending party, sacrificed on account of his *colour* alone."*—vol. iii. p. 239-40.

The reader will now be enabled to understand what Lynch

* Captain Marryat often permits himself to speak in terms of disrespect of Miss Martineau. It must be admitted, that where slavery is concerned, Miss Martineau evinces a strong bias; but notwithstanding that, her work is by far the best that has appeared on the subject of the United States, the people, and their institutions,—and, to Captain Marryat's, immeasurably superior.

law is. With the exception of a few cases, Lynch law is, what the Plymouth Pilgrims formerly established, and what the New Zealand colonists must establish in 1840; and a good law it is. Generally the punishment follows the crime, without much delay, and in cases of *regular* Lynch law it is duly measured, that is, proportioned to the offence. Captain Marryat says it sometimes falls on the innocent, but he gives no case, and our own recollection does not recall a single instance where punishment was not fully deserved. The cases of the *irregular* infliction of Lynch law are, we repeat, exceptions to the general rule, yet they have their parallel in this, and, indeed, in all other, countries. Mr. Murray expresses great horror (vol. ii. p. 108) of Lynch law, because he does not clearly perceive the distinctions pointed out by Captain Marryat; and both leave out one important feature, which should be brought within view:—we allude to the fact that, in America, the people are sovereign—they are what the Crown is in this country, the fountain of justice. Hence in assembling and declaring the law, and organizing tribunals, they do not violate the lawyers' sense of constitutional propriety. The Lynch law of the new communities of America, therefore, is more *regular* than that which the New Zealand colonists will establish in 1840, but we are sure the latter will want nothing in efficiency.

Inferior to his chapter, or rather essay, on Lynch law, though not without considerable liberality, is the paper on Religion. Our remarks and extracts have already extended so far, that we must abridge our gleanings from this interesting chapter.

Captain Marryat is opposed to the voluntary system. Admitting the abstract right of every one to worship his God as he pleases, he contends that,

——“the results of this free will are, in a moral point of view, as far as society is concerned, any thing but satisfactory. * * The voluntary system in America,” he continues, * * “has broken one of the strongest links between man and man; for each goeth his own way. As a nation, there is no national feeling to be acted upon; in society, there is something wanting, and you ask yourself what it is? and in families it often creates disunion. I know one, among many others, who, instead of going together to the same house of prayer, disperse as soon as they are out of the door; one daughter to an Unitarian chapel, another to a Baptist, the parents to the Episcopalian, the sons anywhere or nowhere. But worse effects are produced than even these: where any one is allowed to have his own peculiar way of thinking, his own peculiar creed, there neither is a

watch, nor a right to watch over each other ; there is no mutual communication, no encouragement, no parental control ; and the consequence is, that by the majority, especially the young, religion becomes wholly and utterly disregarded."—vol. iii. p. 98.

Now our own experience certainly does not bear out the above observations. If we were to point out the spots upon the face of the globe, where the "watch," to which Captain Marryat alludes, is the least rigidly kept, we should name London and Paris. In those great cities any one may go "anywhere or nowhere," and no one will trouble himself about the matter ; whereas, in America, the effect of popular opinion in controlling private opinion, and, therefore, private action, is especially conspicuous in the matter of religious observances. It is true, attendance at places of worship is chiefly observed by the women ;* but so it is in other countries. Indeed we have not yet seen the country where the churches are crowded by men† in equal proportion with the women. In London, it is notorious, that, among the *élite* of society, the men are exceedingly sparing and unfrequent worshippers in our churches. The suburban churches exhibit a greater proportion, but they consist of the class known by the term "respectable people," and do not give the tone to society, or take their tone from it.

Our impression is, that in all the old settled parts of the Union the people are very strict in their religious observances ; and the separation of families we believe to be not of very usual occurrence. In America, as elsewhere, families are apt to continue, "like most, in the belief in which they are bred."

There is a habit in America, to which many writers have alluded, and which may not unfrequently produce inconvenient results ; namely, that of lay interference with the duties of the clergy. A very whimsical instance of this interference is mentioned in the case of an elder of some church, who made an audible comment at the conclusion of every proposition enunciated by the clergyman in his sermon. We extract a portion, giving the elder's running commentary within brackets :—

"The duty here inferred is to deny ourselves"—[God enable us to do it]. "It supposes that the carnal mind is in enmity against God"—[Ah ! indeed Lord it is]. "The very reverse of what God would have us to be"—[God Almighty knows it's true]. "How necessary, then, that God should call upon us to renounce every-

* "It's only the women who attend meeting ; the men folks have their politics and trade to talk over, and havn't time."—*The Clockmaker*.

† "Parcus Deorum cultor et infrequens."

thing"—[God help us!]. "Is it necessary for me to say more?"—[No: oh, no!] "Have I not said enough?"—[Oh, yes; quite enough]," &c.

The following is Captain Marryat's account of the geographical distribution of the religious feeling, without reference (except in one case), to creed or sect.

"At present, Massachusetts, and the smaller eastern states, are the strongholds of religion and morality. As you proceed from them farther south or west, so does the influence of the clergy decrease, until it is totally lost in the wild states of Missouri and Arkansas. With the exception of certain cases, to be found in western Virginia, Kentucky, and Ohio, the whole of the states to the westward of the Alleghany mountains,—composing more than two-thirds of America,—may be said to be in a state of neglect and darkness, or professing the Catholic religion.

"Although Virginia is a slave state, I think there is more religion there than in some of the more northern free states; but it must be recollected that Virginia has been long settled, and the non-*predial* state of the slaves is not attended with demoralizing effects. And I may here observe that the *black* population of America is decidedly the most religious, and sets an example to the white, particularly in the free states."—vol. iii. p. 155.

Respecting the Catholic religion, two facts are stated by Captain Marryat;—*first*, that it is rapidly advancing; and, *secondly*, that it is not unfavourable to liberal institutions.

"But if the Protestant cause," says Captain Marryat, "is growing weaker every day from disunion and indifference, there is one creed which is as rapidly gaining strength,—I refer to the Catholic Church, which is silently but surely advancing.* Its great field is in the west, where, in some states, almost all are Catholics, or from neglect and ignorance altogether indifferent as to religion. The Catholic priests are diligent, and make a large number of converts every year; and the Catholic population is added to by the number of Irish and German emigrants to the west, who are, almost all of them, of the Catholic persuasion." * * *

"Judge Halliburton asserts," says Captain Marryat, "that all America will be a Catholic country. That all America, west of the Alleghanies, will eventually be a Catholic country, I have no doubt, as the Catholics are already in a majority." * * *

"I think that the author of *Sam Slick* may not be far wrong in

* "Although it is not forty years since the first Roman Catholic see was created, there is now in the United States a Catholic population of 800,000 souls, under the pope, an archbishop, 12 bishops, and 433 priests. The number of churches is 401; mass-houses about 300; colleges 10; seminaries for young men 9; theological seminaries 5; noviciates for Jesuits, monasteries, and convents, with academies attached, 31; seminaries for young ladies 30; schools of the Sisters of Charity 29; an academy for coloured girls at Baltimore; a female infant school; and seven Catholic newspapers."—vol. iii. p. 158.

the assertion that all America will be a Catholic country. I myself never prophecy, but I cannot help remarking, that, even in the most anti-Catholic persuasions in America, there is a strong Papistical feeling."—vol. iii. p. 166.

In support of the opinion that Catholicism is far from being unfavourable to liberal institutions,—in a word, to democracy,—Captain Marryat quotes De Tocqueville and others. M. De Tocqueville says:—

"I think that the Catholic religion has erroneously been looked upon as the natural enemy of democracy. Among the various sects of Christians, Catholicism seems to me, on the contrary, to be one of those which are most favourable to equality of conditions."

The author of a *Voice from America* remarks:—

"The Roman Catholic Church bids fair to rise to importance in America. Thoroughly democratic as her members are, being composed, for the most part, of the lower orders of European population transplanted to the United States, with a fixed and implacable aversion to every thing bearing the name, and in the shape of, monarchy, the priesthood are accustomed studiously to adapt themselves to this state of feeling, being content with that authority that is awarded to their office by their own communicants and members."—vol. iii. p. 160.

It should be observed, that one great reason why the exercise of the Catholic religion in America and other countries is favourable to the progress of civil liberty, is, that the priesthood is generally drawn from, and therefore sympathises with, the great body of the people. If the clergy were drawn wholly from the aristocratic classes, it is easy to conceive that we might find the power of the Church directed to the upholding of the class with which it was connected. But in the Catholic states of America, in Canada and in Ireland, this is not the case. In Maryland—a Catholic state—for instance, there is no aristocracy to sympathise with; and in Ireland and Canada, the parish priests and curés are intimately connected by every tie of affection and common interest. In Canada the curés are truly pastoral in their character: their fathers and brothers are to be found settled around their church, and they have but few sympathies with the ruling party. In periods of civil contention, their sacred office prompts them to adhere to the side of power, because they believe it to be the side of peace and good order; but during a state of political tranquillity, they will invariably be found aiding rather than checking the advances of the people.

The length to which this article has extended compels us unwillingly to omit many topics of great interest in both the works under notice. Though there is nothing very remarkable—nothing, in short, removed from superficiality—in Captain Marryat's remaining essays, the topics themselves are of very great interest. Many of the subjects, however, are too *large*, so to speak, to be properly discussed in an article essentially miscellaneous. The question of slavery, for instance, is, perhaps, one of the most momentous in the whole book; but it is much more languidly handled than befits the subject. Slavery can never be properly understood, unless it is considered in reference to the abundance of waste land, and the consequent difficulty of getting free labour. Captain Marryat, unhappily for the soundness of his views on this and many other New-Country subjects, is not acquainted with the lights which have been thrown on the science of colonization and the distribution of wealth in new countries, by the author of *England and America*. To Mr. Edward Gibbon Wakefield unquestionably belongs the honour of reducing the successful colonization of new countries to a certainty. South Australia is the first colony that has ever succeeded at once, and without disaster; and no one, who has investigated the principles on which that colony has been settled, feels a shadow of doubt as to the immediate success of the first colony of New Zealand. The community, now on its way thither, was complete in all its parts before it left the shores of the mother country. Whilst arranging their plans in the Rooms of the Company, the colonists formed a complete *imperium in imperio*.

Not, however, with reference to the immediate subject of colonization, but rather as exhibiting the effects of an abundance of rich land, on the various American questions which Captain Marryat will have to handle in his promised second part, we earnestly recommend to his especial and careful perusal the admirable work entitled *England and America*.

From Mr. Murray's delightful volumes we would fain have gleaned much more. His *Summer's Residence among the Pawnee Nation of Indians*, is full of scenes of the most intense interest, some of which we regret to be unable to transfer to our pages. With both our authors and with the reader we now take a friendly leave.

- ART. VI.—1. *A Library of the Fathers of the Holy Catholic Church, anterior to the division of the East and West, translated by Members of the English Church.* Vol. I. *Confessions of St. Augustine.* Oxford, 1838.
2. *Tradition Unveiled.* By the Rev. Baden Powell, M.A., F.R.S. &c. of Oriel College, Savilian Professor of Geometry, Oxford. London and Oxford, 1839.
3. *Not Tradition, but Scripture.* By Philip N. Shuttleworth, Warden of New College, Oxford. London, 1839.
4. *Episcopacy, Tradition, and the Sacraments considered with reference to the Oxford Tracts.* By the Rev. William Fitzgerald, B.A. Dublin, 1839.

IN resuming our notice of the Oxford Translations from the Fathers, we deem it right to call our readers' attention to the very animated controversy excited in the English Church by the publication of the *Library*, and the principles which its editors have avowed. In a former paper we took the liberty of suggesting, that the "especial charity" for members of our communion, in which, as a "chief ground," the project originated, was somewhat mistaken or misplaced—that it spent itself in the unnecessary labour of "calling our minds" to a study which, among us preeminently, has ever been zealously pursued; and of providing us with materials for the study, of a very second-rate description, while the industry and learning of three centuries have prepared, ready to our hand, all necessary appliances infinitely superior. We, it would seem, do not stand alone in what may be considered indifference or ingratitude for the intended benefit. There is a large and influential section of their own body in whose regard the attempt is likely, we fear, to prove misjudged and thankless: there appears as little probability of its weaning Ultra-Protestants from "their modern and private interpretations of Scripture," as of its securing "Romanists from the danger of lapsing into secret infidelity."

The preface of the first volume of the Library—*The Confessions of St. Augustine*—contains a general explanation of the editors' views upon the subject of tradition. Although, in our former notice of the work, we had passed the *Confessions* over, being of a spiritual and ascetic, rather than doctrinal, character; and selected in preference the Lectures of St. Cyril, as more interesting to the modern controversialist; yet we have been induced to return to it, as explaining the peculiar views of the new school, and devote a special paper to its examination.

But, before proceeding to consider the translation of the Confessions, we deem it right to bestow a few pages on a general review of the recent traditionist controversy, and the principles which it has been instrumental in developing.

There is not one of the doctrines of the Oxford divines which has excited so much or so varied speculation. It has introduced a new era in the history of polemics, completely reversing the old and received system of controversial tactics. But, although all are agreed in crying out against what they call the innovation; though there is no lack of willingness to condemn it as savouring of heterodoxy, yet there is considerable diversity of opinion among the assailants as to the category of heresy in which it is to be placed. "Popery," however, has been the common rallying term of reproach.* To one the opinion savours "rank Papistry;" to another, more moderate, it is, at least, "fraught with those seeds of corruption, which appear full blown in the Romish system."† In vain the indignant disclaimers of the accused—in vain their appeal to their own words. Their censors know far better. "We may bawl 'No Popery!' by the way," said a writer in the Hampden Controversy, "but we must put up at the Old Lady of Babylon's at last!"

It is difficult not to feel for the sensitive orthodoxy of Oxford writhing under such a charge. But, alas! there is worse in store. A new light has broken upon the author of *Tradition Unveiled*. He declares the charge of Popery "unfounded,"‡ "arising plainly out of ignorance of the question,"§ and proclaims, with all the emphasis which type can communicate, "THE REAL question"—the capitals are his own—"is not one of the REVIVAL OF POPERY, but of THE PRESERVATION OF THE VERY FOUNDATIONS OF FAITH."|| To an uninterested spectator all this is sufficiently amusing; and, were the matter less serious, we would willingly enjoy it. We might sit down quietly at our reading-desk, and, with folded arms, calmly await the result—secure, in any event, from the acknowledgment of the combatants, of the ultimate triumph of our own principles. Should the Anti-Oxonian party succeed, "they are plainly," say the Tracts,¶ "preparing the way for Popery in the land." Should the principles of Oxford triumph, "there** would be a very easy transition from *High-Churchism to Popery*; and, when once men are brought to a practical acquiescence in Church authority, and the sentence of tradi-

* See Church of England Quarterly for March.

+ Mr. Fitzgerald, p. 15.

† "Trad. Unveiled," p. 7.

§ Ibid. p. 8.

|| Ibid. p. 68.

¶ Tracts, vol. i. No. 20, p. 4.

** Mr. Fitzgerald, p. 15.

tion as inculcated by the sages of the *British Critic*, they will be in a fair way to swallow the stronger dose of universal infallibility as administered by the more daring practitioners of the *Dublin Review* !”

But we must confess we are disposed to regard the discussion with far other feelings. We look upon it with deep—with increasing, interest. In the collision of opposite opinions, even though both should be erroneous, it seldom happens that some small spark of truth is not elicited. Every day furnishes additional evidence that we are not over sanguine in regarding the present controversy, more perhaps than any other of the day, as fraught with the most important consequences to that sacred cause with which our best and holiest hopes are identified.

The question, however, is not new, nor has it, in the present discussion, assumed any new character, except that which it derives from the persons of the disputants. It is as ancient as error itself—it has accommodated itself to all the countless varieties of error which the Christian Church has ever seen. The semi-Christian sects of the first ages, no less than the reformers of our own time, rejected the authority of Catholic tradition. The heretics, against whom the well-known appeal of St. Irenæus* is directed; those who, in the days of St. Basil, “sought to shake the foundations of faith, by levelling apostolic tradition to the ground;”† the Pelagian in St. Augustine’s controversy;‡ Eutyches in the council of Chalcedon§—all hold the same views, and express them in language almost identical with that which we hear echoed around us in the present controversy. “Centuries have passed away,” says the lamented Möhler, “and with them the sects of old. New times and new secessions followed in their stead. In all the formal principle was the same—all asserting, that the Holy Scripture, independent of the Church and of tradition, was the only source of truth—the sole standard of its interpretation for each individual.|| This formal principle, common to all who are separated from the Church—the same in the mouth of the Gnostics of the second, and of the Cathari or Vaudois in the twelfth, century—the same with the Sabellian of the third—

* Adv. Hæres, lib. iii. cap. 4. + De Spir. Sancto, cap. x.—Εκ του τῆν Αποστολικὴν παραίσειν ἐξαρτισθῆσαν αφανισθῆναι.

† De Nat. et Grat. c. 39, tom. x. p. 98, Ben. Ed.

§ In Hardouin’s Collection, vol. ii. p. 186.

|| “What I have always conceived to be the great leading principle of Protestantism, namely, the *entire* sufficiency of Scripture, *independently of tradition*, as a rule of faith and doctrine.”—*Not Trad. but Scripture*, p. 19.

the Arian of the fourth—the Nestorian of the fifth—this common principle has led to the most diametrically opposite results. What can be so much opposed as Gnosticism and Pelagianism? as the Arian and Sabellian heresies?*

It would be idle, then,—it would betray a very superficial acquaintance with the principles of the early seceders from the unity of the Church, and those of the several schools into which their followers have divided,—to expect that the attempt to revive a doctrine so opposed to the first principles of Protestantism, as the authority of tradition, could have been received with silent acquiescence in the English Church. It is impossible to forget Luther's bold declaration, in the controversy with Erasmus, that the "ancient fathers had all mistaken the meaning of St. Paul,"†—his revolting suggestion, that, "as God had allowed the nations to fall away, so he might have permitted the ancient Churches to depart after their ways;"—his impious, even though it were hypothetical, indifference, whether "a thousand Augustines and a thousand Cyprians were against him!" It is hard to close our eyes to the effects produced by the example of the half-pitying, half-excusing tone in which Calvin expresses his disregard of the fathers;‡ of Melancthon's avowal that he could find no trace in their writings of his favourite doctrine of imputative justice;§ of Zuingli's unqualified and unhesitating confession, that "it was long since he had troubled himself to read them."||

"It is allowed," says Mr. Powell, "without denying that there are many distinguished exceptions, that the great mass of Protestant divines have been deficient in this branch of theological learning. Nay, according to views very prevalent among them, it has been regarded as altogether of little moment; and, with a considerable party, all this kind of learning has even been held in *absolute dislike and contempt*."—*Tradition Unveiled*, p. 11.

"Tal frutto nasce di cotal radice,"—

Is it necessary to give examples of this hereditary tendency? The names of Beausobre and Brucker may recall some idea of the estimation in which the fathers have been held in the Lutheran schools, whether of theology, history, or philosophy. Among the Calvinists, the learned ingenuity of Daille, the sarcastic wit of Le Clerc, the prosing minuteness of Barbeyrac, have been tasked, each in its turn, to depreciate their authority. The last-named writer looks upon the fathers of the first six centuries, as "*bad masters and contemptible guides*

* Möhler's Symbolik, p. 370.

+ De servo Arbit. op. tom. ii. p. 480.

† Cited by Bossuet. Hist. of Var. l. v. c. 29. § lb. l. iv. c. 83. || Ib. l. ii. c. 23.

in matters of morality;* he feels himself “*bound, as a good Protestant*, to judge them with the same unsparing freedom and the same unconcern as so many writers of the *last century*:† and it is almost ludicrous to see how the bile of the phlegmatic German rises, as he denounces the weakness of those “who, though they enjoy full liberty to think and speak for themselves—though they profess the grand principle, that the Scripture is the sole rule in faith and in morality,—take up the cause of the fathers, notwithstanding; and, not content with binding themselves, would fain oblige others to maintain this *evident remnant of Popery*.”

These, it may be said, are extreme opinions; and it is very true that in every school there have been distinguished exceptions. But it must be remembered, that, if these opinions be more revolutionary in their tendency, they are also more in accordance with the common principles of Protestantism—with the two undoubted axioms upon which its entire scheme is founded—viz. the complete sufficiency of the Scripture as a rule of faith, and the indisputable right of private judgment as its interpreter. If the first be *adequately* maintained, the claims of tradition must at once fall to the ground; if the second, the admission of tradition would impose upon the enquirer the obligation of examining the voluminous and obscure writings of the fathers,—of exploring the numberless decrees of councils,—of discussing their authenticity, and investigating their true meaning. To the *consistent* advocate of private judgment, the recognition of the authority of the fathers necessarily presents all this endless and intolerable labour: and when we recollect the difficulties of the system, even where the rule of faith is confined to the Bible, can we wonder that its followers felt themselves in consistency bound to relieve it from these additional embarrassments, by discarding altogether the unwieldy machinery of traditionary interpretation?

In the Church of England the case has been somewhat different. Her thirtieth article declares that she “*hath authority in controversies of faith*.” Whether the difficulty against the use of the fathers, which must exist for the advocate of private judgment, be removed by the species of authority which she claims and exercises, we shall examine hereafter. But, at all events, certain it is, that even the shadow of authority, if such it be, has produced its effect. The Act of Con-

* Pref. de la Traduct. de Puffendorf, p. l.

† Ibid. p. li.

vocation, 1571, prohibits the clergy “to teach from the pulpit anything, to be religiously held and believed by the people, but what is agreeable to the doctrine of the Old or New Testament, and *collected out of that same doctrine by the Catholic fathers and ancient bishops.*”* The proceeding had its opponents at the time,—an opposition which has never been discontinued at any subsequent period. Not to speak of such writers as Middleton and Whitby, there always have been, even among the chief officials of the Church, many, who, with a high dignitary of the present day, were not “content to follow the guidance of their predecessors, instead of being at the pains to prove all by a laborious search into the Scriptures, nor deemed it enough to acquiesce in the judgment of the fathers;”†—who refused to “allow to any mere uninspired man, or Church, or any other body of uninspired men, the claim of superseding Scripture, or of possessing joint and equal authority with Scripture, or of pronouncing or deciding infallibly the sense of Scripture.”‡ It is easy to perceive this tendency through the cautious wording of Bishop Burnet’s exposition of the sixth article. The principle is expressly admitted by Bishop Watson of Landaff, who determined to “study nothing but the Bible, being much unconcerned about the opinions of councils, fathers, churches, bishops, and other men as little inspired as himself:”§ and, notwithstanding the strong language which he frequently uses with regard to Catholic tradition, Chillingworth nakedly avows—“I see plainly, and with my own eyes, that there are pontiffs against pontiffs, councils against councils, some fathers against others, the same fathers against themselves,—a consent of fathers of one age against a consent of fathers of another age,—the Church of one age against the Church of another age. Traditive interpretations of Scripture are pretended, but few or none are to be found. No tradition, but only of Scripture, can derive itself from the fountain; but may be plainly proved either to have been brought in in such an age after Christ, or that in such an age it was not in. In a word, there is no sufficient certainty, but of Scripture, for any considering Christian man to build upon.”||

But upon the whole, at least among the higher clergy of the English Church, these may be considered as the exceptions.

* Liber quorumdam Canonum Disciplinæ Ecclesiæ Anglicanæ, 1571, p. 30.

† Dr. Whately’s Charge, 1836, p. 80.

‡ Ibid. p. 74.

§ Memoirs of Bishop Watson by himself, revised by his son, p. 39.

|| Rel. of Protest. c. vii. s. 56.

Experience of the difficulty of subduing the obstinacy of the dissenter taught the insufficiency of Scriptural evidence; and, to some extent at least, the current has generally been in the opposite direction—in favour of some use of tradition. Laud, Montague, Bull, Bramhall, Tillotson, Kenn, and a host of others, are, at least in words, as Catholic on the subject of tradition as the Catholics themselves; and although the sixth article shut them out from the admission of the Catholic test—the insufficiency of Scripture as the rule of faith,—yet there always have been many who would practically subscribe to the Catholic principle so strongly put by Bishop Jewel, “O Gregory! O Augustine! O Hierome! O Leo! O Dionysius! O Sixtus! O Paul! O Christ! if we be deceived herein, *ye are they that have deceived us!*”*

We have deemed so much of historical review advisable, as explaining, for the better understanding the present position of the contending parties, the principles of these two grand divisions of Protestantism, whose legitimate representatives we now find in the persons of the Oxford divines and their antagonists on the question of tradition. It is, and always has been, the glory of Oxford to follow in the footsteps of those fathers of the Anglican faith; and if the distinguished members of the university who figure in the present controversy, have not gone beyond their predecessors in the expression of their opinions, they have at least drawn upon themselves a far greater share of the public attention, and perhaps of odium from the opposite party.

There are some of their views upon this important question, which it might, at first sight, appear difficult to reconcile. On the one hand, they speak familiarly of the “divinity of traditionary religion,”† of revelation wherever found—in Scripture or antiquity‡—nay we even find them pronounce—what erst was deemed the Shibboleth of Catholicity—“**SCRIPTURE AND TRADITION TOGETHER ARE THE JOINT RULE OF FAITH.**”§ Yet, upon the other, in the dutiful care of their orthodoxy—for the sixth article hangs by a single hair over their head—they enter a “protest against the Romish doctrine of tradition as unscriptural”||—they profess that “nothing can be more certain than that the Scripture contains all necessary doctrine;”¶ they have “no idea of asserting that tradition adds anything to the word of God.”**

* Bishop Jewel's works, p. 57.

† Newman's Arians, p. 87.

‡ British Critic (the organ of the Oxford party), No. 45, p. 224.

§ Tracts for the Times, vol. iv. No. 78, p. 2.

|| Ibid. vol. i. No. 38, p. 12.

¶ Pref. of Lib. vol. ii. p. xii.

** Ibid. p. xiii.

What then is the medium?

“ Nothing can be more certain than that Scripture contains all necessary doctrine ; yet nothing, it is presumed, can be more certain either, than, that practically speaking, it needs an interpreter ;—nothing more certain than that our Church and her divines assign the witness of the early ages of Christianity, concerning Apostolic doctrine, as that interpreter.—*Library*, pref. vol. ii. p. 12.

Again, in explanation of the Act of Convocation, 1571—

“ Scripture is revered as paramount ; the ‘ doctrine of the Old or New Testament ’ is the source ; the Catholic fathers and ancient bishops have but the office of ‘ collecting out of that doctrine ; ’ the Old and New Testaments are the fountain ; the Catholic fathers the channel through which it has flowed down to us. The contrast, then, in point of authority, is not between Holy Scripture and the fathers, but between the fathers and *us* ; not between the book interpreted and the interpreters, but between one class of interpreters and another, between ancient Catholic truth and modern private opinions ; not between the *word of God* and the *word of man*, but between varying modes of interpreting the word of God.”—*Library*, pref. vol. i. p. 111.

If we could imagine that the contrast implied in the opposition of the word of God to the word of man were merely accidental, we should not stop to observe upon its inaccuracy. But the tenor of Dr. Pusey’s remarks upon the same subject, in his letter to the Bishop of Oxford,* which want of space prevents us from introducing into our present notice, leads us to believe that it is intended, by implication, to represent the Catholic doctrine as embracing within the rule of faith, some traditions, which may, with propriety, be called the word of man. Now, to remove all ambiguity of language, and to avoid the confusion which arises from the mixing up of two very different significations of the word “ tradition ”—sometimes taken for the thing delivered—sometimes for the vehicle by which it is delivered—every Catholic knows that we hold nothing to belong to the rule of our faith, except the revealed word of God. This revealed word may, in His wise providence, be made known to us by different modes of communication—by the Scriptures, by the decrees of Councils, by the writings of the fathers—by the monuments of ecclesiastical record. But whatever the *vehicle* employed, be it human or divine, it is still the word of God which is communicated ; and, whatever may be said of the instrument employed to convey it to us, the doctrine conveyed, and

* P. 38, and indeed through the entire chapter on Holy Scripture.

by us required to be believed, cannot, in any sense, no more than the Scriptures themselves, be called the word of man. Hence, to speak of the unanimous doctrine of the fathers as the word of man, because the fathers who transmit it were human instruments, is as little warranted in fact, and as little consonant with Catholic truth, as to call the Scriptures the word of man, because the Evangelists and other sacred writers, though inspired instruments of God, were yet human instruments, even as the fathers themselves.

But without pursuing this farther, we gather from this explanation contained in the preface of the *Library*, that tradition is acknowledged as the interpreter of Scripture, but does not add anything to the doctrines which are contained therein. The fathers are admitted as competent to "collect out of the Scripture," to determine its meaning with authority, but they are not competent to declare to us any doctrine not contained in the Scripture. They are "witnesses, and, where agreement is to be had, valid witnesses of the sense in which God willed his Scripture to be understood."* But their testimony loses its weight, when they record any doctrine which God may have chosen to reveal, without having it committed to writing in the days of the Apostles.

Now, who does not see the inconsistency and absurdity of this distinction? Is it not, according to the editors themselves, because their agreement is an evidence that such was the belief of the Christian Church at a time when faith is acknowledged to have been pure? Now, if their testimony be admitted as sufficient to establish the truth of any doctrine, because such was the meaning attached in their days to the passages of Scripture which regarded this doctrine, why should it not also be competent to establish any other doctrine or practice, even though it could not be traced in the Scripture? We could understand the rejection of their authority altogether. But, if they be admitted as witnesses at all, why limit or define the nature of the subjects on which they are deserving of belief? If we deferred to their voice on account of the weight which we attach to their individual judgment, there might be some ground for the distinction; for they might not be equally qualified to form an opinion upon every subject in religion or morality. A man, for example, may be an excellent theologian, and yet an indifferent naturalist; nor should we, in such case, rely with equal confidence on his judgment of a question in theology, and one in natural history. But, if he be

* *Library*, vol. i. pref. p. 5.

regarded, not as expressing his own opinions, but recording those of acknowledged and competent judges in both, it is plain, that, his character for veracity once established, we must, in both cases, rely equally upon his testimony. Now this, in the principles of the editors, is precisely the case of the fathers. Their authority rests, not upon their own judgment, but on their recording the belief of primitive Christianity: nor does their testimony—that testimony which is considered competent to establish a doctrine—regard the question—“whether a certain meaning was attached to the language of the Scripture”—but “whether”—without reference to its being, or not being, contained in Scripture at all—“whether a certain doctrine were believed in the Church of their day.” If they be worthy of credit, then, at all, as their editors acknowledge, we must embrace the doctrines which they teach, without inquiring whether they be contained in the Scripture or not; and, if we set up the Scriptural standard, we constitute ourselves, and not the fathers, the judges and witnesses of traditional belief.

“If the works of the fathers are authentic and genuine,” it is well argued by Mr. Powel, “these recorded doctrines are neither more nor less than fragments of the New Testament; the depository of them is as much the word of God as any part of the apostolic writings.”—*Trad. Unveiled*, p. 33.

The enquiry then, this untenable distinction set aside, will resolve itself into the question of fact,—whether there actually be portions of unwritten revelation committed to the keeping of the Church, in the same way as the doctrines of the gospel are committed to the written page. We maintain there are. We rather think the traditionists of Oxford, in order to verify their theory, and avoid the retortion of every single argument which they employ, will be compelled to do the same. But as we have no disposition at present to commit them with the sixth article, we shall leave the question between them and their opponents, and proceed to examine the principles which they lay down to guide the sincere churchman in the study of the fathers.

“The end, then, is not the discovery of new truth, for new truth there is none in the Gospel; not *any criticism of their own Church, for this were irreverent and ungrateful*; nor to see with their own eyes, for they will come to see with their own eyes, but not by making this their object; not to compare ancient and modern systems, and adopt the one or the other, or amalgamate both, taking of each of them what seems the truth; this were to subject the

truth of God, and the *authority which He has placed over them, to their own private judgment*; it is not criticism of any sort, no abstract result of any sort, nor even knowledge in itself, but to understand and appreciate better, and realize more thoroughly, the estate to which God has called them, into which they were baptized, and in which, perhaps, they have been, or look to be, made His ministers. They are not, or are not to be, theorists in the faith, but they are placed in a certain definite, practical position, involving practical duties; their business is not to *speculate how things might have been otherwise*, but to live up to *what they are*; not to set themselves *above their own Church*, but rather, if they *must discover something*, discover how many Catholic points there are in her, which they have not as yet known to be such,—which they have not realized or filled up.”—vol. i. pref. pp. xvii.-xviii.

“Thus, as far as any appeal is made to antiquity, as, in the other case, it is made, not to the disparagement of Scripture, (God forbid!) but against modern interpretations of Scripture; so, here, it is made, *not against our own Church*, or as wishing to *superadd anything* to it, but against modern misinterpretations of her meaning. The great object of practical and reverential men must be, for a long time, confined to bringing out her existing system in its depth, beauty, and fullness: if it should so please God, that these should ever be fully and generally appreciated and felt in the Church, not with the patronizing pretensions of ‘friends of the Church,’ but with the dutiful devotion of sons,—they whose minds shall have been thus purified and enlightened, will doubtless be guided to do what is best for their parent; *our office is not to amend her*, but respectfully to learn her real character ourselves, and convey it to those who wish to know it. . . . The object, then, of recalling men’s attention to the fathers, so far as relates to the establishment of doctrine or practice, is, subordinately to Scripture, to bring out the meaning of holy Scripture, and, with *respectful deference to our Church*, to lead people to see the Catholic and primitive character of the treasures she possesses.”—ibid. pp. viii.-ix.

If the inquiry be conducted on these principles, the Church of England is safe. “Against her no appeal must be made to antiquity;” her it is “no office of ours to amend;” any criticism of her were “irreverent and ungrateful;” we are not to “set ourselves above our own Church;” we must not “speculate how she might have been otherwise,” but content ourselves with “living up to what she is;” and if we “*must discover something*,” it is, “how many Catholic points there are in her which we have not yet known to be such!” Truly this is a dutiful search into antiquity! We are to examine the fathers, having made up our minds, that they teach what we already believe, and nothing else! We are to appeal to the decision of antiquity, predetermined that its decision is in our own favour,—predetermined to close our eyes against all that

could shake our existing convictions—all that could innovate upon the doctrine or practice of our Church! The errors of Popery are fair game. We may beat every covert and thicket in the dutiful chase after “modern interpretations.” But should any of the favoured denizens of the true preserves of orthodoxy start across our path—*religiosum est consumere*—we must close our eyes, and see them not! This were “irreverent and ungrateful.”

But to be serious. The editors actually make the case of a collision between the doctrines of the fathers and the conviction of the enquirer. The following will hardly be considered a serious attempt at the solution of this perplexing difficulty,—it is but intended to show the necessity of submission to authority:

“As to the case of a difference occurring in any instance of importance between what an individual considers to be the sense of Scripture, and that which he finds antiquity to put on it, the previous question must be asked, whether such difference is likely to arise? *It will not arise* in the case of the majority, nor, again, in the case of serious, sensible, and humble minds; and where men are not such, it will be but one out of many difficulties. Such a person, however, whether from his own fault or not, *is* in a difficulty; difficulties are often our lot, and we must bear them as we think God would have us. We can *cut the knot* by throwing off the authority of the fathers, and we *can remain under the burden* of the difficulty by allowing that authority; but, however we act, we have no licence to plead our taste or humour, but we act under a responsibility.”—vol. ii. pref. pp. xv.-xvi.

Thus, pending the inquiry, all must be taken on authority. Practically it comes to this. And, unquestionably, if the authority be sufficient, it affords a ready and sufficient solution for every incipient doubt and difficulty. It relieves the enquirer from the labour—to which no human power is adequate—of ascertaining all by personal investigation,—collecting for him the doctrines of the fathers, and presenting them in a methodized form for his acceptance. If, then, he can rest with confidence on its veracity—on the impossibility of its deceiving or being deceived,—if he know that it possesses the warrant of the Almighty—that it speaks with His divine truth, and as His authorized representative,—he may then, without difficulty, close his eyes in “respectful deference,” and submit his judgment and understanding in humble reverence of its teaching. All this, however, is necessary. Without these conditions, the churchman is in precisely the same situation as the advocate of private judgment: and, if he admit the necessity of

tradition, he cannot receive a single tittle of its contents upon authority,—he must suspend his judgment till he has toiled through the endless examination of all the obscure and voluminous records of traditionary faith. Without this absolute certainty, no faith can be built. Bishop Pearson requires, for an act of faith in any doctrine, a full and certain persuasion that it is revealed;* and Primate Wake requires, as indispensable, an absolute security that it cannot be false.†

Now, we ask, can any sincere enquirer in the Church of England, find, in the sort of authority which is claimed for her even by her most devoted children, this full but indispensable security? Can he take, with this full and undoubting certainty, upon her authority, those doctrines of hers, which, until he has ascertained them by personal enquiry, he is bound, on the principles of the editors, to believe that “his Church has from the days of the fathers brought down to us?”‡ Most assuredly not. He knows, he feels, he is *bound to believe*, that she *may* deceive him. Her nineteenth article tells him that particular Churches may err,—tells him that Churches more ancient, more widely extended—Rome, Alexandria, Jerusalem—*have erred*; and places him in the harassing certainty that the doctrine, which, on *his own principles*, he is bound to believe, and that “with a full and certain persuasion that it is revealed,” and an “absolute security that it cannot be false,” *may possibly* be untrue,—and is, actually, by the members of a Church far more numerous, more ancient—far more widely extended—more venerable—*believed to be false and unscriptural*! Assuredly, until he has himself trodden every step of the weary way, he can take nothing, which he is to believe as of faith, on such an authority.

And, no matter what be the character of this authority claimed for the Church of England,—where is he to find it? where is he to look for its decisions? Is it not, as regards practical efficiency, as though it were not? Let the present controversy reply. Here is a question of the very last importance,—the rule of divine faith, or at least the fundamental law regulating its interpretation. Upon this vital question we find the most learned of the members of the Church of England arrayed upon opposite sides,—churchmen, dignitaries high in office, members of the same university, nay, of the same college. If we turn to the titles of the few tracts pre-

* Pearson on the Creed, p. 15. † Principles of the Christian Relig. p. 27.

‡ Library, vol. i. pref. p. xviii.

fixed to the present paper, we find the provost of Oriel matched against one of the most learned fellows of his college,—the warden of New College joining issue with the regius professor of Hebrew,—the professor of poetry at war with the Savilian professor of geometry! And the Church has authority all the while! Who can avoid asking how—if the most learned thus differ, not only as to this fundamental point, but even (as a perusal of their productions will show), as to the first principles of reasoning by which it is to be determined,—how are the simple people to be guided by her authority in the formation of their faith? Can this be she?—is it possible?—to whom is communicated the glorious privilege: “My spirit which is in thee, and my words that I have put in thy mouth, shall not depart out of thy mouth, nor out of the mouth of thy seed, nor out of the mouth of thy seed’s seed, saith the Lord, henceforth and for ever”?

It remains that we state our impressions with regard to the new translation of the *Confessions of St. Augustine*. The selection of the *Confessions*, as the opening volume of the *Library*, though it be somewhat preposterous in the order of time, yet, if it were intended to give the series a popular character, was certainly very judicious. Truly may it be said that this admirable book “has ever been a favourite Christian study,”—recording one of the most remarkable conversions which the Christian Church has ever seen,—detailing, with a humility which almost pains even while it edifies us, the wretchedness of his fall, the aimless and uncertain wanderings to which it led—the mysterious process by which glimmerings of divine light, gradually more and more distinct, were let in upon the tortured mind—mighty even in its weakness,—till he, “who had been a heretic and a seducer of the brethren,” is, in the wondrous ways of God, transformed into the light and glory of the Christian Church! As a book of instruction, too, there are few among the writings of the fathers which lead us so little into the debatable land of modern controversy; and if the editors, divesting it altogether of the polemical character, could have spared the shallow and offensive note upon purgatory (lib. ix. 32), it would have been well adapted to supply for all, what the older version is already to every educated Catholic—a magazine of the most tender as well as sublime spiritual instruction.

The present translation, we are told, is revised by Dr. Pusey, one of the editors, from the older version of the Rev. W. Watts, 1650. It professes to adopt a “more rigid style than may

generally occur in the *Library*,"* even "though it be purchased with some stiffness."† While we admit that fidelity must, of course, always be the first object of a translator, we may be permitted to doubt the prudence of this view. The peculiar—peculiarly condensed—style of the *Confessions*, especially in the abstruse metaphysical speculations with which they abound, though it be sufficiently—and, indeed, often not without considerable study—intelligible in the original, yet would seem to require, in the English version, some little allowance for the diversity of genius in the two languages. On the other hand, the adoption of this less rigid style in the *Confessions*, which is purely, or principally, spiritual and philosophical, and partakes but little of the doctrinal character, would be attended with much less inconvenience, and exposed to much less danger, than in the other portions of the *Library*, which, as St. Cyril, for instance, are almost exclusively doctrinal. The former inconvenience is particularly felt in the tenth and following books. The translator seems to have himself anticipated it, but thinks it will be compensated by the additional insight into the author's meaning, which the study necessary to ascertain it will thus force upon the reader.

Of the first translation into the English language, that by Sir Tobias Matthews (1624), the editors speak very disparagingly. We are told "it was very inaccurately done;" that "a saying, indicative of its badness, is recorded in the *Biographia Britannica*," and that its "object was, apparently, to subserve the cause of Romanism." This charge, which is echoed from Dr. Watts, being merely negative, it would be impossible to enter upon its refutation here, even if any good end could be attained by the discussion. But it is perfectly certain, that, virulent as have been the attacks of Dr. Watts on Sir Tobias Matthews' translation, he has, notwithstanding, availed himself very unscrupulously of its assistance; and in many places, where he has departed from it, the change has been anything but an improvement. For a character of the learning and talents of the author, who was a convert to the Catholic faith, we refer to Anthony Wood,‡ assuredly no partial eulogist. The charge of "having been intended to subserve the cause of Romanism," it is not very easy to comprehend, as applied to a translation of such a work as the *Confessions*. But if it mean, as it would seem that it does, that it warped the sense of the original to forward the peculiar doctrines of the Catholic religion, we can only say that the

* Pref. p. xxvii.

Ibid. cccv.

‡ Athen. Oxon. tom. ii. p. 195.

single passage in which this is possible—that detailing the death and burial of St. Monica—is translated with scrupulous accuracy; the best test of which may be, that the editors themselves have, almost without the change of a single word, *retained it in the new translation.*

The notes are taken partly from Watts' translation; occasionally—(as Lib. vi. ix. p. 92; Lib. vii. xv. 119)—from the Benedictines, but generally from the illustrations of St. Augustine from himself, in M. Dubois' edition of the *Confessions*. The editors have omitted to avail themselves of the "various readings" of the Benedictines: this, however, is attended with less inconvenience, than in a dogmatical work, such as that of St. Cyril. The errors of the Manichees, incidentally alluded to in the *Confessions*, are generally, though not always, explained by reference to a dissertation on the Manichean heresy appended to the volume. This is a good arrangement, for we agree with the editors, that the allusions "to their errors, scattered up and down through the *Confessions*, may, for the most part, be more clearly illustrated by being taken in the order in which they lie in the system, than as they happen to be mentioned in the several books." The references to this dissertation, however, are sometimes too vague (as B. v. 21; B. xii. 3), to be used without the trouble of searching it all over; sometimes (as B. i. 31) are omitted altogether.

The account of the Manichees is taken "chiefly from St. Augustine himself, and in his own words." It is compiled from Mosheim, and from Baur's erudite work on the Manichean heresy—*Das Manichäische Religions-System nach der Quellen untersucht.*

It strikes us as a defect, and perhaps in the views which the *Library* is intended to meet, a serious defect, that while this historical sketch of the Manichees is drawn up professedly from St. Augustine, yet there is not a single word in vindication of St. Augustine's accuracy from the charges of modern writers, and particularly of Beausobre. If the study of the *Library* is intended to serve any practical polemical purpose; if, as is more than once conveyed in the prefaces and prospectus, it is intended to serve as an antidote against the old poison in its new forms, would it not be well, if not for the sake of the sceptical reader, at least for that of the sincere, though doubting, student, to show that these doctrines of the olden heretics have been fairly represented by the fathers; and especially that these direct charges of misrepresentation are unsupported even by extrinsic evidence? Surely, if a doubt is

to be removed, something more would seem necessary than an unsupported assertion, that "Beausobre's work on Manicheism is altogether confused by its liberalist principles: it is not a history, but an apology of a system which he ill understood." For an editor of the present day, this could not be a matter of much difficulty. The work is already done,—the materials are ready to his hand, in the elaborate dissertation of Cacciari, in his *Illustrations of Saint Leo*.

We should fear, too, that the reader will be disappointed to find a dissertation on the Manichean heresy, without a word on the history of its singular author,—no notice of his extraordinary life, and very remarkable death. On this subject a reference to St. Cyril (Cat. vi. 21, 32) would have been sufficient for the reader; and the omission is the more remarkable, that there actually is a reference to St. Cyril to prove that Manes was not a Christian. On this point, also, we think there might have been some notice of the opinion of D'Herbelot,* that he was not only a Christian, but had actually received ordination in the Catholic Church.

These, however, are but matters of historical criticism. The silence as to the writings of the Manichees, we consider a subject of more serious regret. The dissertation gives not a word on the books of Scythianus, from which, as St. Cyril tells,† Manes borrowed his wild theories; no account of Manes' own "gospel," so often referred to by the fathers; nothing of the writings of his disciples,—of the "gospel according to Thomas,"‡—of the false 'Acts of the Apostles,'—of 'the nativity of the Blessed Virgin,' attributed to his disciple Leucius.

But, although it is not as perfect as could be desired, or as, considering the facilities afforded by the labours of former dissertators, it could, without much difficulty, have been made, yet it cannot but be considered as a valuable compilation of authorities on the subject of Manicheism. The passages, selected principally from Mosheim and Baur, are well chosen, and, with a few exceptions, clearly arranged. The editors adopt Baur's view—and we should have wished they had given us a compendious digest of his principal arguments—of the immediate connexion of the Manichean system with the Buddhism of India, rather than with the less gross and material religion of Zoroaster. An introductory paragraph is given to the principal discrepancies of the Persian and Indian systems,

* Bibliothèque Orientale, Art. Manes.

† St. Cyril, Cat. vi. 24.

‡ Ibid. vi. 31.

with a view to trace the influence of each upon the wild and perplexed theory of his own, which Manes engrafted on the Gospel. Into these details, however, it would be idle to enter at present; we can only refer to the dissertation as well worthy of perusal, particularly Sections I and III.

If it be regarded as intended solely for the illustration of the *Confessions*, the deficiencies to which we have alluded may not be of much importance; but as "a brief statement of the chief points of Manicheism" it is undoubtedly very imperfect. It overlooks their denial of the resurrection of the body; their notions as to the sin of our first parents; their attributing the Old Testament to the Evil Principle; their opinions as to the last judgment, and the destruction of the world. There is much feeling, and, we fear, much truth, in the parallel between the Manichean and Rationalist principles for the interpretation of Scripture; but we look upon the account of the Manichean opinions, as to the authority and inspiration of the Bible itself, as very defective. Even as an illustration of B. v. 21, something more would seem necessary than the vague disquisition in pp. 342-3. There are some of their practices, too, which we think should have been mentioned, as particularly their substitution of water for wine in the celebration of the Eucharist.

In point of execution the translation is by many degrees more accurate than that of *St. Cyril's Lectures*; and, with the exception of the note on purgatory, to which we shall advert before we close, the editors have adhered more strictly to their profession of avoiding the expression of their individual opinions. There are, however, occasional traces of haste or inattention, which, although of no great moment in the particular instances, might easily lead, in matters of more importance, to very serious consequences. We shall give a very few examples, jotted down at random, from the first book. They are the less excusable, that the inaccuracy might, in most cases, have been avoided, by reference to the ordinary English translation of the *Confessions*, which is to be found in the library of every Catholic family.

Page 2, par. 3. "Dost thou fill them, and yet *overflow*?" is an unhappy translation of "an implex, et *restat*?" destroying completely the beautiful metaphor employed by St. Augustine. The mistranslation is confirmed in the following clause, where "*refundis*" is, by a similar disregard of the point of the metaphor, rendered "*pourest forth*."

Much better the literal translation of our own version—"Dost thou fill them, and there yet *remains* more of thee?"

In like manner p. 6, par. 10: "They had no way to pass away unless thou *upheldest* them," by perverting the metaphorical idea of "*contineres*," makes the sense unintelligible, and the connexion with the preceding verse utterly destitute of meaning.

In the preceding par. p. 6, "Uberibus inhiabam plorans," does not mean "I hung upon the breast and cried." *Inhiare*, as "Parthico et inhiat auro," signifies to gape eagerly for; and the true translation would have been, as in the old version, "to cry greedily for the breast."

Page 4, par. 6. Psalm xviii. 13, (in the authorized version xix. 13) is rendered "Spare thy servant *from the power of the enemy*." St. Augustine uses the words of the Vulgate, "*ab alienis parce servo tuo*;" and, at first, we imagined that the editors, as is their wont, had given the words of the authorized version. But, on reference to the Psalms, we discovered that the passage is translated, "Keep back thy servant from presumptuous *sins*."

We were still further perplexed, by finding, in one of the very few hermeneutical notes to be met in the volume, the following explanation:—

"So the Greek versions and vulgate; rendering צִדִּים *tsedim* as צִרִּים *tsirim*, as it elsewhere signifies 'the proud,' not 'proud presumptuous sins.' They interpret it of sins forced on a person by the enemy. There are two sources of sins: one from one's self, the other from the persuasion of others; to which the prophet refers, I suppose, when he says, 'cleanse me from my secret faults,' and '*ab alienis*'—'spare thy servant.'"—*St. Aug. de Lib Arb.* l. iii. c. 10.

This is quite the reverse of fact. The vulgate and Greek versions do not render it—"Spare thy servant from the power of the enemy." They both agree in their translation: "Ἀπο ἀλλοτριῶν φείσαι τὸ δούλο σου." "*Ab alienis parce servo tuo*."

The critical explanation is incorrect in both its parts. It does not give the present Hebrew reading correctly, nor does it truly suggest the conjectural reading, from which the Septuagint and Vulgate may be supposed to have been translated.

The present Hebrew reading is not, as stated, צִדִּים *tsedim*, which, from the nominative צֶדֶד *tsed*, *latus*, would mean "the sides;" as in *Exodus* xxvi. 13: "It shall hang over the sides of the tabernacle—צֶדֶד-צֶדֶד *hal-tsidde*. The present reading is צִדִּי *zedim*, from the nominative צֶדֶד *zed*, "swelling"—"arrogant," and is rendered in the authorized version, "proud presumptuous sins."

Nor did the authors of the Vulgate and Greek versions, as

the editors conjecture, read צִרִּים *tserim*, which, from the nominative *tser* צַר, *insectator*, would mean “persecutors;” but זָרִים *sarim* (from the root זָר *zur*, *alienari*), which they translate literally, “alienis,” ἀλλοτριων. The word is of frequent occurrence. Even in the *Psalms* there are several examples, as xliv. 21, “*Conversi sunt ad deum alienum*,”—לֵאלֹזֵר *leel zar*. And again, in the very form in which it occurs here (*Psalm liv. 5*), “For *strangers* have risen up against me,”—זָרִים *zarim*.

The citation from St. Augustine, so far from confirming this conjecture, in fact directly contravenes it; for he expressly uses the word “alienis;” nor is there a single expression which could, by possibility, imply that he referred either to the “enemy” or the “persecutor.”

Page 7, par. 12: “Whose Unity is the mould of all things,” is, in the first place, not very good sense; for it is not easy to conceive how the Unity of God can be a mould of anything, much less of the creation; and, at all events, it is a very arbitrary, not to say absurd, rendering, of “*Tu une, a quo est omnis modus*.” The true translation is, as it is literally rendered in our own version, “Thou alone, from whom is all form.”

Page 11, par. 19: “For, unless forced, I *had not* learnt.” The change of tense in the verb *discerem* materially injures, if it do not utterly destroy, the connexion of the clauses.

Page 12, par. 20: “*Morientem a te*” does not mean “dying far away from thee,” which would be “*procul a te*;” but “dying from thee.” The idea is “dying by departing from thee.” The phrase frequently occurs in St. Augustine; for instance B. ii. 4, where we observe it is correctly translated.

Page 12, par. 21: “Thou power who *givest vigour* to my soul and quickenest my thoughts!” is a false and pointless translation of the tender and expressive words, “*maritans mentem meam et sinum cogitationis meæ*.” The coldness of the translation is even more censurable than its wideness of the sense; and is made more remarkable by the necessary opposition of the following words, “*non te amabam et fornicabar abs te*.” Here again the old version renders it correctly: “Thou power espousing my mind, and the bosom of my thought!”

But the increasing number of our pages reminds us of the necessity of drawing to a close; and we shall not pursue farther the ungrateful work of verbal or grammatical criticism. Before we part, however, from the new translation of the *Con-*

fessions, we must devote a few words to the note upon the doctrine of purgatory, which the editors (B. ix. 32) have approvingly adopted from the old translation. We have already cited* the passage on which it purposes to comment. But, that the reader may see both, side by side—the text and the commentary—we deem it right to copy, a second time, at least a few sentences. We give them in the words of the *Library* version :—

“ And, behold, the corpse was carried to the burial ; we went, and returned without tears. For neither in those *prayers which we poured forth to Thee, when the sacrifice of our ransom was offered for her*, when now the corpse was by the grave’s side, as the manner there is, previous to its being laid therein, did I weep during even those prayers.

“ But now, with a heart cured of that wound, wherein it might seem blame-worthy for an earthly feeling, I pour out to Thee, our God, *in behalf of that Thy handmaid*, a far different kind of tears, flowing from a spirit shaken by the *thoughts of the dangers* of every soul that dieth in Adam.

“ Harken unto me, I entreat Thee, by the medicine of our wounds, Who hung upon the tree, and now, sitting at thy right hand, maketh intercession unto Thee for us. I know that she dealt mercifully, and, from her heart, forgave her debtors their debts ; do *Thou also forgive her debts*, whatever she may have contracted in *so many* years since the waters of salvation.”—*Confessions*, pp. 178-180.

Upon this passage we find the following comment :—

“ Here my Popish translator says that the sacrifice of the mass was offered for the dead. That the ancients had communion with their burials, I confess. But for what ?

“ 1. To testify their dying in the communion of the Church.

“ 2. To give thanks for their departure.

“ 3. To pray God to give them a place in his paradise.

“ 4. And a part in the first resurrection : but not as a propitiatory sacrifice to deliver them out of purgatory, which the mass is now only meant for. [*Old ed.*]

“ That the prayers for the dead, in the ancient Church,” the editors continue, “ so far from favouring, are opposed, to the Romish doctrine of purgatory, see Bishop Bull, Sermon. 3.” *Note*, p. 178.

The editors adopt Archbishop Ussher’s plausible theory, which, while it admits the usage of prayers for the dead in the ancient Church, and even of the commemoration of them in the sacrifice of the altar—absurdly travestied in this note as “ communion with their burials”—yet denies that this practice implied the belief of purgatory. The object of these commemorations of the dead, says the note, was fourfold : “ to testify

their dying in the communion of the Church"—“to give thanks for their departure”—“to pray God to give them a place in his paradise”—(a practice which would be utterly without meaning unless in the doctrine of purgatory)—“to pray for a place in the first resurrection.”

Now, without stopping to examine how far these explanations of the usage, and particularly the last, may be founded in truth, we need only observe, that, however plausible this theory may look, while it stands by itself, it was certainly very injudicious to place it in juxtaposition with the plain and unequivocal language of St. Augustine. Is there a single word which could by possibility imply that the object of the usage, as he applies it to his holy mother, could have been any one of the four specified? or, indeed, any other than that which is necessarily connected with the belief of purgatory,—viz. to pray for the remission of more venial offences unforgiven, or of the debt of punishment unpaid, before death? Does he pray to attest her “having died in Catholic communion”? Does he give thanks for her departure? Does he pray—to adopt even this hypothesis—for “a place in the first resurrection”? Not a word of all this. It is not the sacrifice of *thanksgiving*, or of the *communion* of the saints, which is offered: it is the *propitiatory sacrifice of our ransom*. He implores—simply “for the *sins* of his mother;” “he thinks with terror of the dangers of every soul which dieth in Adam,” and beseeches, that, as she forgave her debtors, so also her God would *forgive her own debts*. He does not, it is true, use the express word *purgatory*; he does not, like St. Cyril (Cat. xxiii. 10), entreat that the Lord would grant “a *respite of her punishment*;” nor stop, like the same St. Cyril, to solve the difficulties, which, then, as now, were proposed against the doctrine. But he uses language which it is impossible to mistake, and whose obvious meaning this shallow note cannot, in the eyes of any reader, however prejudiced, either mystify or conceal.*

* Among the “variations” of the Church of England, not the least remarkable is that which regards this very practice of prayers for the dead. We extract from Collier the form of burial, as it stood in the primitive Anglican Liturgy prescribed in 1548. Let the reader peruse it, side by side with the beautiful, but hollow and soulless, form of burial in the revised Liturgy of the present day.

“In the office of the burial of the dead,” writes Collier, “when the priest throws earth upon the corpse, he says, ‘I commend thy soul to God, the Father Almighty, and thy body to the ground,’” &c.

And the next prayer begins thus,—

“We commend into Thy hands of mercy, most merciful Father, the soul of this brother departed,—that, when the judgment shall come, which Thou hast

But we must have done, for the present, with the *Library*, and the remarkable and very interesting controversy with which it is identified. The perplexed and jarring opinions of the disputants—all members of the English Church, and all claiming the character of *especial orthodoxy*—but serve, by the contrast they present, to illustrate the uniform and consistent theory of tradition, as it is acknowledged in the Catholic Church,—guarded in its purity, and explained with unchanging truth, by that unerring authority which is the guide of

committed to Thy well-beloved Son, both this our brother and we may be found acceptable in Thy sight, and may receive that blessing," &c.

The next prayer stands thus,—

"Almighty God, we give Thee hearty thanks for this Thy servant whom Thou hast delivered out of the miseries of this wretched world, from the body of death, and all temptations; and, as we trust Thou hast brought his soul, which he committed into Thy holy hands, into sure consolation and rest, grant, we beseech Thee, that, at the day of judgment, his soul and the souls of all Thy elect departed out of this life, may with us, and we with them, fully receive Thy promises, and be made perfect altogether, through the glorious resurrection of Thy Son Jesus Christ, our Lord "

After the second lesson, "Lord have mercy on us," &c. and the "Lord's Prayer," the priest says,—

"Enter not, O Lord, into judgment with Thy servant.

"Answer. For in Thy sight no man living shall be justified.

"P. From the gates of hell,

"A. Deliver them, O Lord.

"P. I believe to see the goods of the Lord,

"A. In the land of the living.

"P. O Lord, graciously hear my prayer.

"A. And let my cry come unto Thee.

Then follows this prayer,—

"O Lord, in Whom do live the spirits of them that be dead, and in Whom the spirits of them that be elected, after they be delivered from the burthen of the flesh, be in joy and felicity, grant unto this Thy servant, *that the sins which he committed in this world be not imputed to him*, but that he, escaping the gates of hell and pains of eternal darkness, may ever dwell in the regions of light, with Abraham, Isaac, and Jacob, in the place where is no weeping, sorrow, nor heaviness; and, when that dreadful day of the resurrection shall come, make him rise also with the just and righteous, and receive this body again to glory, then made free and incorruptible: set him on the right hand of Thy Son, Jesus Christ, amid Thy holy and elect, that he may hear with them those most sweet and comfortable words—'Come to me,' &c. Grant this, we beseech Thee, O merciful Father, through Jesus Christ, our Mediator and Redeemer. Amen."—Collier's "Ecc. History of England," Book iv. p. 257.

Such was the spirit—such were the words, of the burial service—embodying, of course, the belief of the English Church in 1548. But a new spirit came upon her. In 1551 the Liturgy was revised; the burial service reformed as we read it now. The authors of the "Tracts" would represent the alteration as merely expressing the *silence* of the Church upon this doctrine. But, when we remember that the change was effected by the adherents of Calvin, Bucer, and Peter Martyr, and was intended to express their well-known denial of prayer for the dead, it is impossible to conceive that the expunging these prayers from the service did not amount to a positive *disavowal* and *reprobation of the doctrine*, as well as the practice which implies it.

all—learned, and unlearned—the professor, amid the treasures of his library, and the peasant in the unlettered simplicity of his fireside.

Nor is the argument founded in the contrast alone, but in a plain and direct inference from the principles put forward by the contending parties. The obvious and satisfactory reasonings of the traditionist demonstrate, beyond the possibility of question, the authority of Catholic tradition, at least as the interpreter of the written word of God. Nor does the reply of the anti-traditionist touch these arguments directly: it is a reply “ad hominem,” affecting the argument, not in itself, but “as serving *their* cause very little, however well a dexterous Jesuit might *press it into the papal service.*”^{*} What is the inference? That tradition is to be rejected? Clearly not. But that with these principles its use is incompatible; that it cannot be reconciled with private judgment; and that it cannot be adopted, even as an interpreter of the Scripture, unless digested and explained by an infallible tribunal, beyond which there is no appeal. “The authority of Catholic tradition must be admitted,” argues the traditionist. “But it cannot be admitted, if the principles of Protestantism be true,” replies (and convincingly) the advocate of private judgment. Therefore—for the arguments of both are conclusive—“the principles of Protestantism are false and untenable.”

Such is, such must be, the conclusion drawn on the admitted principles of Protestantism. Ages have passed away, reforms unnumbered have been attempted. Alas! each seemed more imperfect than that which preceded; each but supplied materials for new innovation! The Lutheran, Calvinist, Anglican, of the present day, could scarce be recognized by the primitive professors of their respective creeds. Catholic truth alone remains unaltered; each successive defection but rendering its limits clearer and more distinct. Branches have fallen from the ancient cedar; but, though they may put forth feeble and unhealthy roots, far away from its sheltering shade, they carry with them no portion of its native vigour; their fall but seems to bring out its majestic proportions into clearer relief,—their sickly and unnatural vegetation but enhances, by the contrast, the simple but luxuriant vigour of the parent tree. “*Improbatio quippe hæreticorum,*” writes St. Augustine;† *facit eminere quid Ecclesia sentiat et quid habeat sana doctrina.*”

* Mr. Fitzgerald, “Episcopacy,” &c. p. 29.

+ Conf. l. vii. c. 19.

ART. VII.—*First Annual Report of the Registrar-General of Births, Deaths & Marriages in England.*—London: 1839.

THE institution of a new system of registration in 1837, subject to the control of a central board, expressly organized for the purpose, is an important era in statistical annals. Under the old system many inaccuracies were permitted, if not unavoidable: nor was the kind of information afforded sufficiently precise to be made available for the solution of many questions depending on the duration of human life. The insufficiency of existing data has been generally admitted, even as regards the most common questions of business, but as regards the nicer points involved in the regulation of Benefit and Friendly Societies, they have afforded no assistance whatever. It has been found impossible to make any estimate of the influence of locality in different portions of the empire on the health of its inhabitants; to compare the low with the hilly districts, the north with the south, or the maritime with the inland situations; to exhibit the influence of civic as compared with rural life; to display the relative effects of agriculture, mining, and manufactures, on the respective followers of these occupations; or, lastly, to point out the influence of various exterior agencies in modifying the conditions and health of the people. As the report before us supplies many of these defects, and has every appearance of having been drawn up with scrupulous accuracy, we shall avail ourselves of its contents so far as they go, and endeavour, with such other aids as we possess, to lay before our readers a succinct account of the actual state of the population.

Although it would be an error to suppose that the prosperity of any country is strictly indicated by the degree of condensation of its population, yet there can be little doubt, when associated with wealth and a low mortality, that it must be received as an index of the thriving state of its inhabitants. Ireland, it is true, forms a remarkable exception to the truth of this observation; but the case of Ireland has never been satisfactorily explained, unless indeed the culture of potatoes, which constitute the chief article of subsistence, may be considered as the substitute for all other necessities of life. In India, and also in China, where the population is unusually dense, the uncommon productiveness of the soil, in rice and other edible grain, has usually been regarded as the cause of this condition of the population; whereas the reverse is uniformly observed to be the case in the northern and less genial latitudes. The

following is a summary of the population of the United Kingdom and its dependencies, according to the last enumeration in 1831, to which has been added the estimated increase since that period up to January 1, 1839; which has been calculated on the basis that the increase has proceeded in the same ratio as that for the preceding decade.

	<i>England.</i>	<i>Wales.</i>	<i>Scotland.</i>	<i>Ireland.</i>	<i>British Islands.</i>	<i>Army & Navy.</i>	<i>Total.</i>
Census for 1831.	13,091,006	806,182	2,365,114	7,767,401	103,710	277,017	24,410,429
Estimated Increase.	1,808,194	93,366	100,516	1,105,883	9,966		3,117,916
Total..	14,899,199	899,548	2,465,630	8,873,284	113,666	277,017	27,528,345

The population of the metropolis in 1831 was 1,594,890, to which, if we add 241,423, or at the rate of 1·8 per cent. annual increase, will render the population on Jan. 1, 1839, 1,836,313, or nearly two millions! The area of the whole United Kingdom has been estimated very differently. Taking it, according to Mr. Driver, at 77,394,433 acres, or 120,772 square miles, this will give 227 inhabitants to every square mile, which is considerably higher than that for any other country of equal extent in Europe. There is a good deal of disparity in this respect in the different divisions of the empire, and also in the different counties. In England the density of the population is most conspicuous, being 294 to the square mile. Next to England comes Ireland, or 292 to 1, and after that, Scotland, or 80 to 1; so that Scotland is not one-third as thickly peopled as either of the former countries; a circumstance which may be accounted for by the greater extent (nearly one-half) of barren and waste moor and mountain lands in that country, and from the continual migration of its inhabitants to the more fertile districts of England. The same inequality of distribution is observable in the different counties, in which the number of the inhabitants is found to vary from 133 to 37,000 per square league. The latter term expresses the extraordinary condensation of the population of the county of Middlesex, including the greater part of London, which is without a parallel in ancient or modern history; while the former indicates the dispersed and scanty population in the unhealthy and fenny districts of Leicestershire and Cambridgeshire, as well as in some of the Welsh and Scottish counties. It is difficult to estimate the density of the population of London, properly so called; but of the metropolis, in-

cluding the suburban districts, it is at the rate of 26,512 to each square mile. In some of the most populated parts of the town of Manchester, it is at the rate of 73,121 per square mile; and of Liverpool, so high as 83,262 per square mile.

One of the most remarkable circumstances connected with this subject is the extraordinary increase of the population of late years. To put this in an appreciable and striking point of view, it will be necessary to compare the existing population with that of former periods, as well as with the population of other countries. Mr. Sharon Turner, whose investigations into the Saxon portion of our history entitle his opinion to much consideration, has estimated the population of England and Wales, at the period of the Norman conquest, at 1,700,000 souls. In 1377, in the reign of Edward III, it amounted, according to the official tax-tables of the time, to 2,635,000; in 1577, according to Raleigh, to 4,500,000; in 1700, according to Rickman, to 5,475,000; in 1750, to 6,467,000; and, in 1770, to 7,428,000. From the first of these epochs, therefore, to 1839, the number of the people of England and Wales increased twenty-six-fold, or from 29 inhabitants to each square mile (which is about equivalent to the present population of Russia and Turkey), they have multiplied to 275 to each square mile. If Ireland and Scotland are viewed in this aspect, the most remarkable contrast is exhibited. From 1698 to 1831, a period of 133 years, the population of Scotland was found to have increased only from 1,025,000 to 2,365,000, or about 231 per cent.; while in Ireland, during the same period, the increase amounted, according to South and W. Petty, from 1,096,647 to 7,767,000, or 708 per cent., which is rather less than three times as great as took place in England and Wales, during the same period, and more than three times as great as took place in Scotland. This conclusion appears so incredible, that we are compelled to believe that the data on which the Irish calculations are founded must be incorrect.

During the first half of the last century, the increase of the population of England and Wales amounted to only $17\frac{1}{2}$ per cent.; but, during the last half, it rose to $52\frac{1}{2}$ per cent.; or, if we take the 30 years from 1700 to 1730, and compare them with the last 30 years of the century, the proportional increase was as $4\frac{1}{2}$ to $27\frac{1}{2}$ per cent. But how far does this fall short of the increase during the present century, from 1801 to 1831, when it amounted to upwards of $56\frac{1}{2}$ per cent., or, fourteen times more rapid than for the corresponding period of the

previous century. In fact, the total increase of the population (6,925,767), during the 39 years of the present century, very nearly doubles the total increase of the population (4,052,660), for the *whole* of the last century. At the present rate the population would nearly double itself in 48 years. But, at the time of the Revolution in 1688, it would have required, at the then existing rate of increase, 250 years to produce this effect. The increase of population in some of our great manufacturing and commercial towns, exceeds all modern example, as will appear from the following table.

<i>Manchester.</i>		<i>Glasgow.</i>		<i>Birmingham.</i>		<i>Leeds.</i>	
Year.	Inhabitants.	Year.	Inhabitants.	Year.	Inhabitants.	Year.	Inhabitants.
1708	8,000	1708	11,948	1700	15,000	1774	17,000
1791	70,000	1785	45,889	1781	50,000	1781	53,000
1821	133,000	1821	147,197	1821	130,000	1821	83,000
1831	182,812	1831	202,426	1831	146,986	1831	123,393
Increase in 123 years, from 100 to 2,285		Increase in 123 years, from 100 to 1,695		Increase in 131 years, from 100 to 980		Increase in 57 years, from 100 to 725	

It is to be observed, however, that the rate of progression for England and Wales appears to have reached its maximum. From 1801 to 1821, the mean decennial increase was 16·13 per cent.; but, for the corresponding decade, from 1821 to 1831, it fell to 16·01 per cent. If a similar comparison be instituted between Great Britain and France, during comparable periods of their history, that is, before and after the war, when the territory of the latter was again reduced to its ancient limits, a like result will be educed. In 1791, the population of France was estimated, by a commission of the Constituent Assembly, at 26,363,000; in 1817, it was computed at 29,217,465; and, in 1831, at 32,560,934. During 40 years, therefore, from 1791 to 1831, the increase amounted to 6,197,934, or 23½ per cent.; while, during the same period, the increase in Great Britain amounted to 62½ per cent.—that is, in the proportion of 8 to 3, or nearly three times as great. Or, if we take the 14 years, from 1817 to 1831, the increase for France will be found to be 11·44, but for Great Britain, 22·11 per cent. Still the mere increase of population is no criterion of the civilization or prosperity of a nation, but depends on many other circumstances, which we shall allude to presently. According to M. Jonnés, the population in England and Russia would double itself in about the same period, that is, in 47 to 48

years ; in Prussia it would double itself in a space less by nine years ; while in Germany it would require more by 78, and in France more by 78 years, than would be required for England. The inference from these facts is too obvious to be mentioned.

The increase of population in this country has not depended on the number of births being greater in relation to the whole number of the people, but to a decrease in the rate of mortality ; not because many are born, but because few die during a given period. This is an important fact, and makes the chief difference between other countries and our own. It is admitted to be generally true that as civilization advances, a proportional diminution takes place in the births and deaths, and generally also in the marriages ; while, on the contrary, it is an unerring sign of barbarity, when the mortality is great and the reproduction rapid. The proportion of marriages in Great Britain to the whole population was, in 1750, as 1 to 115, but it gradually fell to 1 in 127 in 1831, since which period it appears again to have diminished to 1 in 145. M. Bossi, in his *Statistique du Département de L'Aisne*, which he has divided into four portions, has exhibited, in a very striking point of view, the direct relation which prevails between the births, deaths, and marriages ; and, at the same time, the dependence of these events upon the fact of locality.

	Deaths.	Marriages.	Births.
In the mountainous districts....	1 in 38·3	1 in 179	1 in 34·8
On banks of rivers.....	1 in 26·6	1 in 145	1 in 28·8
On level parts sown with corn....	1 in 24·6	1 in 135	1 in 27·5
In parts interspersed with } ponds and marshes.....	1 in 20·8	1 in 107	1 in 26·1

But in Cadiz, where, according to Colonel Sykes, the mortality exceeds that for any other capital city in Europe, the annual deaths exceeding the annual births in the proportion of 2,190 to 2,086, the marriages are only 1 in 170 inhabitants. The fecundity also of marriage fell in the same degree. In 1688 there was 1 birth to every 28 inhabitants ; but, in 1831, it had fallen to 1 in 36 ; in 1838, to 1 in 40. In Scotland it was, in 1831, 1 in 34 ; in Ireland, 1 in 27 ; in Russia, 1 in 24. The same decrease of fecundity is observable in France ; but England, contrary to the general belief, is the least fecund of any country in Europe. In Russia, Prussia, and Austria, at least four births occur to every 100 inhabitants ; while in Scotland, France, and England, the proportion is diminished to 3 per cent. or less. The decrease in mortality is still more con-

spicuous. The absolute number of deaths in England did not increase during 36 years (from 1780 to 1815), although the population increased from 7,814,000 to 11,525,000, or 47 per cent. In 1730 the deaths were in the proportion of 1 in 31; in 1831 they had diminished to 1 in 58. This is collected from the public registers and enumerations, which sufficiently represent the great amelioration which has taken place, although they do not accurately represent the existing mortality, in consequence of the great inaccuracy with which they have been kept. It has been found, for instance, under the new system of registration, that the number of registered births in England and Wales, for the year ending June 30, 1838, exceeded the number of registered baptisms under the old system by 42,535 souls; and, in the same manner, that the number of deaths exceeded the number of burials by 44,241. Allowing, therefore, for these unrecorded deaths, the present mortality may be estimated, for England and Wales, as 1 in 48 for males, and 1 in 51 for females, the mean being about 1 in 49, for both sexes combined. This, however, is the least mortality of any country in Europe. Neither does this depend entirely on the increased longevity of the old, but on the improvement in the value of life at all ages. From 1751 to 1760, as many as $51\frac{3}{4}$ per cent. of those who died within the bills of mortality, died under 20 years of age; but the relative number of those who died under that age in 1831, did not exceed $42\frac{1}{3}$ per cent. of the whole. This improvement is best seen during the present century, corresponding with the more rapid increase of the population. This, however, is obviously a comparison of one improvement with another, or of the mortality of the young compared with that of the old. But, if the mortality of those under 20 years of age be compared with the whole living population (as it ought to be), it will then be found to have diminished from 1 in $76\frac{1}{2}$ in 1780, to 1 in 139 in 1833, or nearly one-half. It appears, therefore, from this statement, that one of the great causes why other countries increase their population, is the number and fecundity of their marriages; but that Great Britain is chiefly indebted for this effect to the diminution of its mortality, which is probably the best individual criterion which exists of the prosperity of a country.

Nothing contributes so remarkably to accelerate or retard the population as the price of wheat, or, what is nearly equivalent to the same thing, the rate of wages, or the general demand for labour, which rises and falls according to the price of wheat.

A fall of 10s. 6d. the quarter in 1792, compared with 1790, occasioned an increase of more than 4,000 marriages, and twice that number of conceptions. A similar decline of 14.1s. the quarter, in 1797, as compared with 1795, occasioned an increase of 6,000 marriages, and upwards of 13,000 conceptions. Its effects, however, are still more apparent in increasing the mortality. The average price of wheat, in England and Wales, in 1800, was 5*l.* 13s. 7d. the quarter. The average price for the two years preceding and following, was 2*l.* 18s. 10d. The deaths in the former year, within the bills of mortality, were increased 1-4th. But the conceptions were decreased 1-10th. From documents furnished by Mr. Wargentin, respecting the diocesses of Upsal and Carlstadt, it would appear that the average mortality for these places respectively, during the 23 years preceding 1771, was 1 in 38 and 1 in 38½; but that it was augmented to 1 in 19 and 1 in 12½ in 1773, in consequence of the scarcity which followed the bad harvests of 1771 and 1772. The command, therefore, of the necessities of life, accelerates the population not only by promoting marriages and conceptions, but by diminishing the amount of mortality.

The prevalence of epidemics is found materially to affect the rate of mortality in large towns, but less so in the country than might, at first sight, have been expected. Their rage is chiefly expended on the old and infirm, who are thus swept off somewhat before their time, so that the number of deaths afterwards is less than before. Of the single causes which have contributed to the diminution of mortality, none has been so conspicuous as the ameliorations effected in the treatment of typhus fever, and in the prevention of small-pox by vaccination. The casualties of war, and, consequently the differences between war and peace, have scarcely been observed to have any appreciable effect upon the total mortality.

The insalubrity of cities, as compared with rural districts, is well exemplified by the comparative mortality of the metropolis with the five south-western counties of England, inclusive of their principal towns. The number of deaths in the metropolitan division, embracing an area of nearly 70 square miles, and a population of 1,790,451 souls, was, for the year ending June 30, 1838, 53,597; but, in the counties abovementioned, embracing 7,933 square miles, and a population of 1,723,770 souls, only 34,074, or 57 per cent. less than in the metropolis. A similar result is obtained from a

more extended comparison, comprising, on the one hand, most of the large towns in England, with the exception of the metropolis, and, on the other hand, portions of different counties, selected indiscriminately, but exclusive of their principal towns. The area of the former was 677 square miles, the population 1,762,712: of the latter, 9,312 square miles, population 1,776,980. The deaths in towns for the half-year ending December 31, 1837, were 22,994, or 1 in 38 annually. In the country, 14,473, or 1 in 61. Thus the civic exceeded the rural mortality by 52 per cent. From this statement also it further appears that the mortality of the metropolis coincides very nearly with that of other large towns,—an equality of health which must be ascribed, in great measure, to its admirable internal economy, to its excellent police, abundant supply of water, and general cleanliness; to which we must add the comparative infrequency of juvenile labour, or exercise of deleterious trades, which are prolific sources of disease and death in many of our provincial towns.

It has been conceived that the higher rate of mortality in towns and manufacturing counties is due to the increase of deaths under two years of age; and that after that period the mortality is not increased in towns, but even diminished. M. Villermé has shown, from the population returns of 1813 to 1830, the fallacy of this supposition. Contrasting the mean mortality of 19 agricultural counties (inclusive of Cambridge, which is most unhealthy), with nine which are distinguished for their manufactures, the following was the result:—

Of 10,000 Individuals born	The Survivors of their 10th year amount to	The Number that die between their 10th and 40th year.	
		Reckoning from Birth.	Reckoning from 10th year.
Mean for the Agricultural Counties..	6,495	2,038	3,134
Mean for the Manufacturing Counties	5,645	2,104	3,726
All England proper	6,094	2,064	3,387

This will appear still more remarkable if we compare the mortality of Lancashire alone with Herefordshire, or with all England at different periods of life. The following table exhibits the mortality per cent. out of 100 individuals belonging to each class respectively, from which it will be obvious that, up to eighty years of age, the mortality falls considerably heavier upon the manufacturing counties than on all England in general, or on the agricultural counties in particular.

Table of Deaths per cent. at the undermentioned Ages.

Age.	Throughout England.	In Lan- cashire.	In Here- fordshire.
Before 5 Years	34.8	44	24
5—9	16.5	8	5
10—14	4.3	6	4
15—19	5.8	8	5
20—29	14.2	17	12
30—39	14.3	18	11
40—49	16.4	21	12
50—59	20.8	25	16
60—69	34.3	38	29
70—79	59.3	63	53
80—89	87.5	88	85
90—99	95.5	94	93
Above 100	100.0	100	100

The greater salubrity of the country, as compared with towns, will be further evinced by the comparative fatality of different diseases under these different circumstances. The excellent arrangements which have been adopted since 1837, of keeping accurate registers of the causes of death throughout the country, are deserving of the highest praise. They will not indeed afford any indication of the degree of prevalence of chronic and unimportant diseases, because as these do not often terminate fatally, the traces of their existence will be unrecorded; but of those which are of a serious character, they will serve as a tolerably correct index. They will demonstrate the comparative prevalence of disease in the two sexes, at different periods of life, and in different districts of the country. Possibly they may explain the order of recurrence of epidemical disorders, and their connexion with seasons and localities. They will further serve to point out the influence of trades and professions, degrees of civilization and wealth, and other external agencies, in creating or exciting into activity various predispositions of the human frame; and it is not improbable that they may suggest many ameliorative measures for the conservation of public health, and many salubrious residences which are at present unsuspected. From these registers it appears that out of 37,467 deaths in towns and counties, the causes of death were assigned in 35,707 cases, leaving only 4.6 per cent. unascertained. Of these 35,707 deaths, 30,837 were occasioned by the following causes, which we have set down in a tabular form, for the convenience of comparison, together with the increase per cent. of the mortality of towns over that which is found to exist in the open country.

Table of Deaths from 24 Different Diseases, in favour of the open Country.

DISEASES.	Deaths		Increase per cent.	DISEASES.	Deaths		Increase per cent.
	in Cities.	in Country.			in Cities.	in Country.	
Dropsy	671	583	15·1	Cholera	77	38	102
Hernia	31	26	19·2	Gastro-Enteritis .	690	317	117
Hooping Cough..	387	317	22·1	Hydrocephalus ..	618	272	127
Scarlet Fever....	201	153	31·3	Dysentery	106	43	146
Consumption....	4248	3066	38·5	Erysipelas	86	34	153
Diseases of Heart	234	163	38·5	Convulsions	2006	695	188
Rheumatism	46	28	64·3	Quinsy	61	20	205
Childbed	177	103	71·8	Measles	848	252	236
Sudden and Violent Death ..	908	517	75·6	Asthma	346	94	268
Croup.....	244	135	80·8	Diarrhœa	757	164	361
Typhus	1532	810	88·0	Teething ..	524	75	599
Inflammation of Lungs	1019	537	89·7	Small Pox	1800	197	809

Table of Deaths from 10 Different Diseases, in favour of Cities.

DISEASES.	Deaths		Increase per cent.	DISEASES.	Deaths		Increase per cent.
	in Cities.	in Country.			in Cities.	in Country.	
Insanity	36	36	00	Inflammation....	237	297	25·3
Apoplexy	306	331	8·16	Scrofula	66	87	31·8
Hydrothorax	99	110	11·1	Old Age.....	1234	1649	33·6
Atrophy	117	138	17·9	Tabes	43	62	44·1
Epilepsy .	57	68	19·3	Thrush	91	132	45·0

From which it would seem that the fatality of certain disorders is augmented in a frightful degree from the condensation of the population. In consumption, for instance, it is augmented more than 1-3d; in child-bed, croup, and typhus, more than 2-3ds; in gastro-enteritis, or severe dyspeptic complaints, it is more than doubled; in convulsions and measles it is trebled; in diarrhœa it is nearly quadrupled; in teething it is nearly sextupled; and, in small-pox it is more than octupled. The destruction from this ancient enemy of the human race in England and Wales, during this half-year, amounted to 5,811 lives, of which 1,056 occurring in the metropolis and some other large towns, were found to have happened at the ages and in the proportions represented in the following Table:—

Ages.	0—4	5—9	10—14	15—19	20—29	30—39	40—49	50—59
Of every 100 Deaths.	84 00	9·31	1·41	1·70	2·74	0·47	0·18	0·09

It is reasonable to presume that the majority of these cases were unprotected by vaccination; both because they occurred in very early life, and among the poor, whose improvidence on such matters resists every motive that can be employed. 334, or nearly one-third, occurred before the termination of the second year; 117 before the termination of the ninth month; and 22 before the third month had expired; so that, unless from the interference of some overwhelming necessity, vaccination should never be deferred beyond this period. As might have been expected, both from the greater facility with which contagion is propagated among a dense population, as well as from the privations which such a state of the population infers, this increase was not confined to small-pox, but extended to the whole class of infectious distempers. In fact, as many as 23 per cent. of the whole deaths in cities, arose from epidemical or contagious diseases; about 65 per cent. of which occurred among children, and 35 per cent. among adults; while the deaths from similar causes in the country did not amount to half that number. We might, on the other hand, have conjectured, that as the inhabitants of cities are less exposed to the inclemencies of weather, and, generally speaking, are better fed, housed and clothed than those in the country, and have a higher rate of wages, they would have enjoyed a comparative immunity from consumption, inflammations of the chest, rheumatism, quinsies, and such class of complaints. That this is not the case, must, we apprehend, be attributed to the depressing influence of a contaminated atmosphere, joined to a sedentary mode of life and frequent intemperance, which conjointly undermine the constitution, and increase the susceptibility to disease. The influence of early privations and fatigues on the future health, is well exemplified by the French conscriptions. Of those conscripts, which were drawn from the rich province of Blesle, not more than 26 per cent. were rejected; but as many as 58 per cent. were rejected as unfit for service of those which were levied from the poor canton of Anzon. An irrefragable proof of the same fact, is derived from the ratio of disease in the different metropolitan districts, keeping almost uniform proportion to the density of their respective populations; the density of the population being again a significant index of the poverty and privation of the inhabitants. In Whitechapel, where, upon an average, not more than 25 square yards are allotted to each person, the annual mortality in the half-year ending December 31, 1837, was 1 in 22; whereas, in St. George's, Hano-

ver-square, the number of square yards to each person being 79, the mortality was reduced to 1 in 50. The mortality from epidemic diseases in the latter, was to that of the former, as 100 to 423; from typhus-fever, as 100 to 840; from diseases of the chest, or respiratory system, as 100 to 190; and, from consumption, as 100 to 202. If we contrast, in the same manner, the districts of St. Giles and St. George's, Bloomsbury, with the parish of Camberwell, a similar result is obtained. In the former, the allotment to each person is 23 square yards, and the mortality is 1 in 31. In the latter the allotment is 589, and the mortality is reduced to 1 in 53. The deaths from epidemical diseases were as 100 to 274; from typhus, as 100 to 419; from diseases of the chest, as 100 to 183; and from consumption, as 100 to 208. The effect of condensation and its accompaniments is not peculiar to the metropolis, but is exhibited in as striking a manner in other large towns. That exceptions do occasionally occur we are well aware, but still the concentration of the population must always be regarded as a prime concurring agent in the multiplication and aggravation of disease, and is, therefore, a subject well worthy of legislative interference. We have no doubt that great ameliorations might be effected by the intersection of large streets and thoroughfares through the crowded parts of the metropolis, which would conduce equally, by ventilation, to the promotion of health; and, by the destruction of the low haunts of vice, or by laying them open to the more effectual supervision of the police, to the prevention of crime.

The relative liability of the sexes to disease differs considerably. About 2,500 women are computed to die in child-bed every year in England and Wales; about seven-eighths of whom are swept off by puerperal fever. This is about in the proportion of 8 deaths to every 1,000 females of child-bearing age, or about half that number to every 1,000 births. But this source of mortality in females is nearly compensated by the excess of deaths in males from various accidents. Of 4,855 violent deaths, which were registered, 3,605, or nearly three-quarters, were in males, leaving an excess of 2,365 to balance the 2,500 from child-birth in females. Under this head are included suicides, more than one-half of which were in females, and considerably more than one-half between the ages of 20 and 30, and 50 and 60; or precisely at those ages when the passions are most uncontrollable, and the misfortunes of life most incumbent. Under this head are also mentioned some curious instances of death:—6 were choked; 6 were

killed by drinking boiling water from the spout of a tea-kettle; 15 were struck with lightning; one died from the bite of a donkey; and another from the bleeding consequent on the bite of a ferret. 27 per cent. of the total mortality is referable to diseases of the chest,—to males and females equally. One-fifth of the whole number of deaths, however, arose from consumption alone, which was found to occur more frequently in the female than in the male, in the proportion of 110 to 100. Diseases of the urinary organs destroyed five times more males than females, which, though partly explicable on the more complex organization of the former, is not entirely due to this cause, which is proved by diabetes, a functional disorder, occurring twice as often in the male as in the female. In the same manner, the number of ruptures in men was twice, and of aneurisms three times as great as in women; affections also of the organs of circulation were 30 per cent. more frequent in males, of whom it is recorded that three cases occurred of ruptured heart, although none of this kind occurred in women. Cancer destroyed 873 females and 355 males, or, of both sexes, in the proportion of 2,456 annually. 70 males and 15 females died from intemperance, and 86 males and 9 females from delirium tremens. 67 males and 12 females from gout, or 158, of both sexes, annually. It is remarkable that dropsy should be more frequent in males than in females, considering that the latter are subject to two different forms of the disease, which are nearly of equal frequency. This may probably be referred to the habitual intemperance so common among the former, which predisposes equally to disease both of the digestive and renal organs, the prolific causes of general dropsy. The effect of the prohibition of the distillation of spirits in 1751, and raising the duties, was soon indicated by a fall of 10 per cent. in the mortality from dropsy, and 87·5 per cent. in the deaths from excessive drinking. The number of deaths from dropsy amounted to 3·7 per cent. of the whole mortality, the numbers being for the half year, for males 2,473, and for females 3,162; whereas, if we examined the mortality from some other much dreaded complaints, we shall find it exceedingly low. From the whole class of urinary diseases, it was less than ·54 per cent. of the whole mortality, or 1 in 9,000 annually of the living; from rupture ·17 per cent., or 1 in 30,000; from stone and gravel 1 in 38,000; and from hydrophobia 1 in 477,000.

In regard to consumption, it is observable that this dreadful

scourge of northern latitudes, which selects for its victims the fairest and finest of the flock, and at that period of life when their services to the state are most valuable, and their own hopes most exuberant, rises and declines with the general mortality, but not in the same proportion. On the contrary, whenever the proportion of deaths from consumption bears a high ratio to the total mortality, it may be laid down as a general rule, that the absolute mortality, both general and special, is low. The deaths from consumption, in the ten most unhealthy districts of the metropolis, being 14·4 per cent. of the whole mortality, the absolute general mortality was 1 in 30, and from consumption 1 in 208; but, when the deaths from consumption, in the 10 most healthy districts, arose to 16·4 per cent. of the total deaths, the absolute general mortality fell to 1 in 46, and that from consumption to 1 in 282. There is a remarkable difference in the mortality from this disease in different parts of the country. In England and Wales generally, the deaths of both sexes from this disease were upwards of 55,000, or 1 in 252, and in London 1 in 234. The proportion of deaths in females was, for England and Wales, 1 in 431; for the metropolis 1 in 464; for Birmingham 1 in 404; for Manchester 1 in 392; and for Liverpool 1 in 298: giving an advantage of nearly 56 per cent. in favour of London over Liverpool. In the five south-western, and therefore warmest counties of England, the numbers were 1 in 587, but this includes the county of Cornwall, where, from the constant immigration of consumptive invalids on account of the climate, the mortality from this disease was increased to 23·8 per cent. of the whole deaths, instead of 19·6 per cent., as for the whole of England and Wales. It is from the same cause that the male deaths in that county exceeded those of the females by 17 per cent., in which respect, the proportions are reversed as regards the case generally. This arises from the greater facilities enjoyed by males of travelling in search of health, and alienating themselves from the bosom of their families, which cannot be accomplished in regard to females, without great inconvenience and expense. We have also to remark, that the proportional mortality of families from consumption in the metropolis, among females, ranges below that for the whole of England. This result was wholly unexpected, and can only be accounted for, by supposing that among the poor, the weakly, who would otherwise fall victims to this disease, are previously carried off by other distempers, while among the more favoured classes of society there are a

great number who betake themselves to more genial climes, where they commonly die of their disease.

We have seen that 43·60 per cent. of the whole number of deaths in the half year, ending Dec. 31, 1837, happened under 10 years of age. If we contrast the causes of death of the remainder with the experience of the Equitable, we shall become aware of the great importance of medical examinations in conducting life assurance. We are aware that the comparison is a rough one, and liable to many errors, but by selecting those diseases only for comparison which are peculiar to adult age, and by confining our observations exclusively to the male sex, we shall approach nearer the truth than would at first be imagined. Under the following twelve heads of disease, are comprised two-thirds of the whole mortality after ten years of age. With the exception of consumption, the mortality from every one of these diseases was greatest among the insurers at the Equitable; but consumption is a disease of early adult life, while most of those other diseases occur towards its decline. The inference, therefore, is obvious,—namely, that it is most important to exclude the former in all assurance transactions; for as the probability is, that the life will drop before a sufficient number of premiums have been paid to indemnify the risk, to relax or discontinue the practice of medical examinations, as is done at some of the new offices, with a view of conciliating business, must be considered as a most dangerous innovation.

Table showing the per centage Causes of Death, as compared with the whole Mortality, at the Equitable and among the Population at large, after 10 Years of Age.

DISEASE.	Insurers at the Equitable.	Popu- lation at large.	DISEASE	Insurers at the Equitable.	Popu- lation at large.
Natural Decay or Old Age	13·57	13·38	Diseases of the Liver	4·09	2·40
Apoplexy	12·53	3·41	Diseases of the Uri- nary Organs	2·53	1·61
Consumption	7·93	30·59	Asthma	2·74	2·40
Dropsy	7·09	5·83	Angina Pectoris	2·28	0·03
Palsy	6·01	2·32	Gout	1·34	0·15
Dropsy of the Chest	5·18	1·31	Diabetes	0·31	0·16
Total Mortality at the Equitable from the above Diseases...			65·60 per cent.		
Ditto among the Population at large			63·59 per cent.		

The period of life most favourable to the development of scrofula in various fatal forms, is found to be upon the cessation of the growth. During the quinquennial period, from 15

to 20 years of age, the number of deaths from consumption was found by Dr. Emerson to be just quadruple of what took place during the quinquennial period immediately preceding. The mortality of consumption in Carlisle from 1778 to 1788, according to Dr. Heysham, did not exceed 13·25 per cent., or about one-eighth of the whole mortality.

The probability or expectation of life (that is, the number of years within which one-half of a given number of individuals of the same age die) is a matter of the greatest importance in assurance, annuity, and other reversionary transactions; and, consequently, no pains have been spared to ascertain it. If equal decrements of life took place in equal periods, there would be little difficulty; but the greatest difference prevails in this respect. The following table exhibits the proportion of deaths at different ages, out of 10,000 deaths of males, of females, and of both sexes, according to the registers of burials (1813 to 1830) of 3,938,496 deaths, as well as according to the registers of deaths, under the new system, for the year ending June 30, 1838.

AGES.	REGISTERS OF BURIALS.				REGISTERS OF DEATHS.			
	Males.	Females.	Both Sexes.	Per Cent.	Males.	Females.	Both Sexes.	Per Cent.
Under 1 Year	2188	1765	1975	19·75	2339	1933	2140	21·40
1 — 4	1498	1450	1474	14·74	1742	1780	1760	17·60
5 — 9	437	410	424	4·24	457	462	460	4·60
10 — 19	579	636	607	6·07	554	647	599	5·99
20 — 29	724	839	781	7·81	736	833	785	7·85
30 — 39	621	725	672	6·72	655	715	683	6·83
40 — 49	649	670	659	6·59	653	632	643	6·43
50 — 59	715	684	700	7·00	656	621	638	6·38
60 — 69	911	922	917	9·17	813	823	818	8·18
70 — 79	1012	1086	1049	10·49	830	883	856	8·56
80 — 89	584	700	641	6·41	473	556	514	5·14
90 & upwards	75	116	95	·95	94	115	104	1·04

It will be observed that the principal difference between the two tables, consists in the larger proportion of infant deaths in the latter, which is what might have been expected, as the errors (if any) in the former registers, could never lie on the side of redundancy. By the first table, 34½ per cent., or more than one-third of the whole deaths, took place under 5 years of age. By the latter, the proportion arose 39 per cent. The period of most advantageous expectancy of life, falls between 3 and 6

years of age; but the period of greatest intensity of mortality, is at the commencement of human existence; one-half of the deaths of the first year happening within the first three months;—so precarious is infantine life, that, like the blossom of spring, it is cut off by the first rude blast that blows. According to M. Villermé, two-fifths in France die before the end of the fifth year; one-half before the twentieth; and at sixty, nearly four-fifths. The two first of these terms nearly coincide with the results of the Table above given.

If dependence is to be placed on the registers of deaths recorded in the Table last mentioned, the expectation of life in the course of the first year will stand much lower than is usually represented. The usual estimates have proceeded on data which fall short of the actual mortality; as, for example, the Carlisle Tables, which give the mortality during the first year of life as low as 1,539 in 10,000; or the Prussian, which make it 1,700 in 10,000; or, lastly, the Swedish, which approach nearer to the truth, viz. 2,015 in 10,000. Mr. Milne, in the Carlisle Tables, assigns 37·14 years as the expectation of life in the first year of human existence, for the two sexes combined. Mr. Finlayson estimates it at 39·96 for males, and 43·20 for females; and from the Swedish documents it would appear to be about 36·62 for both sexes combined; but from the registers, above-referred to, the actual probability would fall much below any of these estimates. In middle and advanced age, on the contrary, if we may judge from the above data, the expectation of life would appear to be greater than that usually assigned. The following Table exhibits the most approved calculations on this subject. Of these, the Northampton is the most generally followed by the different Assurance Offices, and was constructed by Dr. Price, from the Mortuary registers of that town, from 1741 to 1780. The Equitable represents the experience of that society from 1762 to 1829, and is indicative of the advantage of picked lives, principally of the male sex. The Amicable also represents its experience for upwards of half a century. Mr. De Morgan's, deduced from the statistical returns for the kingdom of Belgium, as given by M. Quetelet, may be considered as approximating most nearly to the truth; and from its making distinctions between town and country, as well as between the sexes, is proportionably more interesting. The Carlisle Table was constructed by Mr. Milne, and the Government Tables by Mr. Finlayson.

Table of Expectation of Life at Different Ages.

Age.	Northampton.	Ambleule.	Carlisle	Eggleston.	GOVERNMENT.		M. DE MORGAN'S.						Age.
					Males.	Females.	Towns.		Country.		Both sexes in Town and Country		
							Males.	Females.	Males.	Females.			
0	25.2	..	38.7	..	..	..	29.2	33.3	32.0	32.9	32.2	0
5	40.8	..	51.3	..	48.9	54.2	45.0	47.1	46.1	44.8	45.7	5	
10	39.8	..	48.8	48.3	45.6	51.1	42.9	45.0	44.4	42.9	43.9	10	
15	36.5	..	45.0	45.0	41.8	47.2	39.0	41.3	41.2	40.0	40.5	15	
20	33.4	36.6	41.5	41.7	38.4	44.0	35.4	38.0	38.1	37.0	37.3	20	
25	30.9	34.1	37.9	38.1	35.9	40.8	33.1	35.0	35.7	34.2	34.7	25	
30	28.3	31.1	34.3	34.5	33.2	37.6	30.4	32.1	33.0	31.5	32.0	30	
35	25.7	27.7	31.0	30.9	30.2	34.3	27.5	29.2	29.7	28.7	28.9	35	
40	23.1	24.1	27.6	27.4	27.0	31.1	24.4	26.5	26.0	25.9	25.8	40	
45	20.5	21.1	24.5	23.9	23.8	27.8	21.5	23.9	22.5	23.2	22.7	45	
50	18.0	17.9	21.1	20.4	20.3	24.4	18.3	20.1	19.1	20.0	19.5	50	
55	15.6	15.1	17.6	17.0	17.2	20.8	15.5	17.1	16.2	16.9	16.4	55	
60	13.2	12.5	14.3	13.9	14.4	17.3	12.8	14.0	13.3	13.7	13.4	60	
65	10.9	9.9	11.8	11.1	11.6	14.0	10.4	11.2	10.6	10.9	10.8	65	
70	8.6	7.8	9.2	8.7	9.2	11.0	8.2	8.6	8.2	8.5	8.4	70	
75	6.5	6.2	7.0	6.6	7.1	8.5	6.3	6.6	6.3	6.5	6.4	75	
80	4.8	5.0	5.5	4.8	4.9	6.5	4.8	5.1	5.0	5.1	5.0	80	
85	3.4	4.0	4.1	3.4	3.1	4.8	3.7	4.0	3.8	3.8	3.8	85	
90	2.4	2.9	3.3	2.6	2.0	2.8	2.9	3.0	3.1	3.2	3.1	90	
95	0.8	1.4	3.5	1.1	1.2	1.6	1.8	2.0	2.2	1.9	2.1	95	
100	..	..	2.3	..	..	..	..	0.5	0.5	0.5	1.9	100

The remarkable discrepancies of result contained in the preceding Table will not fail to be observed. In the Report of the Select Committee of the House of Commons, in 1827, on the laws respecting Friendly Societies, they are thus strongly set forth: "According to the Northampton Tables, out of 1000 persons existing at the age of 25, there survived, at the age of 65, 343 persons. By the Carlisle Tables, no fewer than 513 persons will survive;" so that "a society that should adopt the Northampton Tables, would, if the mortality among its members should correspond with the Carlisle Tables, have *three* annuitants where it calculated upon *two*. Of those annuitants, moreover, a larger proportion would live to enjoy the annuity for a considerable number of years; for instance,—of the 343 persons, who would be annuitants according to the Northampton Tables, 98 would live for 15 years: according to the Carlisle Tables, 162 would survive through that period, and attain the age of 80 years." A summary but rough mode of calculating the expectation of life, consists in assuming 49 years as the average duration of life, minus 7 years for every decade expired after 10 years of age. This rule gives results

nearly corresponding with those of the Carlisle Tables, but it is inapplicable before 10 or after 60 years of age. Thus, at 20, the remaining life may be represented 49—7, or 42 years; at 40, 49—21, or 28 years; and so forth.

The effect of temperature in augmenting the mortality of aged persons, is remarkably exemplified by the contrast of the months of January in the years 1795 and 1796, the coldest and the hottest months respectively of which any regular account has been preserved in this country. In the former, the mean temperature being 23° Fahr., morning, and 29°4 noon, the number of deaths, within the bills of mortality, of persons aged 60 or upwards, was 717, or 25·4 per cent. of the whole mortality; while in the latter, the temperature being 43°5 morning, and 50°1 noon, the number of deaths of 60 years of age and upwards, was only 153, or 10·4 per cent. of the whole mortality. But although the deaths of persons of 60 years of age or upwards, were five times greater in one year than in the other, the number of births was nearly equal. Nor did there appear any other cause to account for this excess of deaths among the aged, than the excessive rigour of the weather, the price of corn being, in 1796, 3s. the quarter more than in the year immediately preceding. It should be observed, however, that these years do not afford a fair comparison,—for, as the severity of the weather, in 1795, carried off the infirm and aged of the population, who might have lingered a few years longer under favourable circumstances, the number of this class must necessarily have been fewer, to swell the mortality of the succeeding year. But though a severe winter is almost equally prejudicial to infant life, it is not the winter which is the most fatal season in this country. The intensity of mortality in the United Kingdom reaches its maximum about the middle of spring, and its minimum at the beginning of autumn; from which it may be inferred that an unsettled condition of the atmosphere is more unwholesome than the genial but progressive decline of summer. The complaints of spring are, for the most part, characterized by inflammatory symptoms, and may be presumed to depend upon excessive reaction, following the preceding rigour of the winter, which is, in all cases, much more to be dreaded than the immediate effects of direct cold. It is difficult, however, to discriminate the direct effects of cold on the animal frame, from those which arise from insufficiency of clothing, food, and fuel, and the confinement in close rooms, which such circumstances often necessitate. All these are the direct consequences

of defective labour in the winter, added to a harassing despondency of mind, and will each contribute to augment the mortality. According to the Carlisle Tables, the expectation of life at 96 is equal to the expectation of life at 89, and greater than the expectation of life at 90. But, with the exception of Davillard's Tables for France, this paradox has not been observed in any other Tables, although Mr. Milne has expressed his belief that it is, nevertheless, conformable to truth.

The proportion between the sexes is a subject of much interest. It is found that the number of male births, uniformly, and in all countries, exceeds that of females. From 1801 to 1810, this excess, in England and Wales, amounted to 1-25th; from 1811 to 1820, 1-22nd; and again, from 1821 to 1830, 1-23rd; which last may be looked upon as the average for the last 30 years. But, notwithstanding this excess of male births, the number of females living always exceeds that of males. According to the enumeration of 1831, this excess for the United Kingdom amounted to 397,525, or 3·3 per cent.; but if we assume the correction for the deficiency of enumeration of males, migratory on the continent and elsewhere, as 1·67 per cent., the excess of females will then amount to a very inconsiderable number, so as to render it probable that the proportion between the sexes is nearly equal at all times. The migration of inhabitants in search of labour, will necessarily cause considerable fluctuations in this respect among different parts of the population; but, independently of this, the proportions are found to vary in different countries and different years, from causes which have not been discovered. The proportion of males to females in the United Kingdom, according to the enumeration in 1831, was as 49·18 to 50·82; in England, 48·71 to 51·29; in Scotland, 47·36 to 50·64; and in Ireland, 48·85 to 51·15. In Middlesex the females preponderate in the proportion of 61 to 53 men, while the reverse obtains in Monmouthshire, and also in the United States. In France the proportional number of females is rather greater than in England; while in Spain the difference is exceedingly minute. During the 10 years ending 1810, the excess of male births in Wales was very nearly twice as great as in England during the same period. This curious reversal of the proportions between the sexes is due to the superior *vivacity* of females at every epoch of existence, but more particularly in infancy and in the decline of life. From the returns made to the Board of Health of Philadelphia, from 1821 to 1830, the number of births was 64,642; of whom 33,569 were males,

and 81,073 females,—that is, there were 7·5 per cent. more males than females born. But by the 5th year this excess was reduced to 5 per cent.; by the 10th year, to 1 per cent.; and by the 15th year, the females exceeded the males by 10 per cent. The final intention, therefore, of nature, in creating an excess of males, cannot be to supply the contingencies of war, because they are cut off before their services to the state can be of any avail. Physiologically speaking, there seems reason for the conjecture that the respective ages at which the sexes intermarry may have some influence on the result, as it is very well known to be the case in breeding cattle. But we are no anthropogenesists, and we leave the discussion of this recondite subject to our ingenious neighbours on the continent. We will only add, that several facts seem to warrant the opinion, that the younger the parties, the less chance there will be of a great excess of male births. The proportional excess of male illegitimate births is always less than of those which are born in wedlock.

The following table represents the ages of 10,000 males and females in England, according to the Population Act of 1821:—

	0 to 5.	5 to 10.	10 to 15.	15 to 20.	20 to 25.	25 to 30.	30 to 40.	40 to 50.	50 to 60.	60 to 70.	70 to 80.	80 to 90.	90 to 100.	100 to 110.	110 to 120.
Males	1538	1313	1160	988	1470	1155	941	605	417	221	56	15	4	1	1
Females	1414	1268	1058	905	1681	1210	932	653	458	228	64	16	5	1	1
Exc. of M.	94	75	113	83	211	55	110	123	101	83	80	100	100	100	100

Subtracting, therefore, those under 15 years of age and above 60, together with all the females, the strength of the United Kingdom, or, *letée en masse*, would amount to about 80 per cent. of the population, or to upwards of 8,000,000 of able-bodied men.

The number of those who arrive at 100 years of age or upwards, is about 1 in 32,000 of the whole population. It is nearly double in the female to what occurs in the male sex. The enumeration for Ireland represents the proportion for that country as much greater, or 1 in 19,489: but there is reason to suspect the accuracy of the answers to these inquiries. The number of centenarians in the United Kingdom amounted, in 1821, to 640, of whom 291 were in Great Britain, and 349 in Ireland. A few instances, however, of extreme longevity, afford no indication of the healthiness of a district; the difference in different counties being found to vary from 0 to 111, without respect to the general salubrity of the country;

and it is remarkable, that although the number of females who attained to this age in Wales, bore the proportion of 50 to 22 of those in England; the proportion of males was only as 9 to 12. Of 105 individuals who died in England and Wales in the year ending June 30, 1838, of 100 years of age and upwards, 37 died at 100, 13 at 101, 16 at 102, 11 at 103, 12 at 104, 7 at 105, 4 at 106, 3 at 107, and 2 at 110.

A surer guide to the healthiness of a country, is obtained in the fact of a comparatively large proportion arriving to the age of 70 years and upwards. Thus in the whole of England and Wales, out of every 100 deaths, 14·5 per cent. arrived at the age of 70 years or upwards. But in the North and West Ridings of Yorkshire, and also in Durham (excluding the mining districts), the proportion rose to 21 per cent.; and in Cumberland, Westmoreland, Devonshire, Norfolk, Suffolk, and part of Northumberland, to 19 per cent. and a fraction; while, on the contrary, it fell to 10·4 per cent. in the metropolis, 8·1 per cent. in Birmingham, 7·9 per cent. in Leeds, and 6·3 per cent. in Liverpool and Manchester. A similar difference is perceivable from a comparison of the mining districts of Staffordshire, Shropshire, and Durham, with the adjacent rural country. A still more marked diversity exists in the proportion of deaths of infants in different parts of the country.

It is computed that twins occur about once in every 75, triplets once in every 4,000, and 4 to a birth once in 150,000 births: that each marriage, upon an average, is productive of 4 children in the country, and $3\frac{1}{2}$ in towns. That nearly one-half of the whole number of births is produced by women between the ages of 25 and 35 years of age, and that every fourth woman of this age bears one child annually. This proportion of births to a marriage, however, differs in different parts. In some of the Scotch counties the number rises as high as 7 to each marriage; but, in Paris, it falls as low as $2\frac{1}{2}$ to each marriage,—inequalities which are utterly unaccountable upon any known principle. The number of married persons living separate or divorced, are probably few in this country. In Germany it is very large. In the year 1834, as many as 4 per cent. of the whole married, in the kingdom of Saxony, lived separately, and as many as 1·4 per cent. were divorced. The number of widows, as compared with widowers, has been estimated as 3 to 1. The marriages of the latter to those of the former, have been computed as 7 to 4. About 60 per cent. of the whole male population, and about 58 per cent. of the female population, are married; and about 1 in every 3,000 marriages is reputed to be absolutely sterile. The ave-

rage ages at which the sexes marry in France, has been stated by Villot, as 29 for males, and 24 for females; but it is probable that the average is much lower for this country; and, if so, it must be proportionably conducive to a healthy progeny. About one-fifth of the whole marriages in England, for the year ending June 30, 1838, were under age, and of these three-fourths were among females. The mortality among the unmarried has been represented, by Dr. Casper, as half as great again as among those who are married; but De Parcieux has shown, from the registers of 400,000 deaths of monks and nuns, that this statement is without foundation. There is reason to believe that a due observance of the dictates of nature is conducive to health and longevity; and that, on the other hand, a life of celibacy, especially among females, predisposes to an early decay. A removal from the excitements of life may possibly have a different effect among *religieux* of both sexes: but, in civil life, the disappointments and repinings of a single state are seldom entirely surmounted by the strongest characters. It was M. De Parcieux's opinion that the lives of religious persons, on first taking the vows, were better than those of the same age taken from the population at large; but that, after 45 or 50 years of age, the peculiar disadvantages of their situation began to operate, so that not one of the monks was found to have attained the age of 96 years, nor any one of the nuns 99 years.

The distribution of the population in this country is at present undergoing successive changes. The two most remarkable points of this subject (which in some measure, however, depend on each other) are the disposition to centralization on the one hand, and the increase of the manufacturing population on the other. It appears from the enumeration of 1811, that 35·2 per cent. of the people of Great Britain were agricultural; 44·4 per cent. engaged in trade and manufacture; and 20·4 per cent. of other classes. In 1831, the proportions were 28·2 agriculture; 42·0 trade; 29·8 other classes. So that the agricultural part of the community lost 7 per cent. in 20 years. The change will be more striking if we view the subject in another aspect. The total increase of families of all classes was found to be at the rate of 34 per cent.; of agricultural families, at the rate of 7½ per cent.; but of the trading classes, at the rate of 27 per cent. The inference from which plainly is, that the same amount of productions are now raised from the soil by 4 families, which required 5 families formerly, and, consequently, that the fifth family is set free for the production of surplus articles.

The proportion of the population of Ireland engaged in agriculture is more than double that of England. The proportion of families in Great Britain employed in the production of food is about 282 in 1000 ; in Ireland it amounts to 638 in 1000. But, notwithstanding this difference, and making every allowance for the export produce of Ireland, there is an enormous difference in the productiveness of agricultural labour in the two countries,—a difference in no degree attributable to the badness of the soil, but to a deficiency of skill, industry, and capital in the inhabitants.

Under the third head, or “ other classes,” are comprehended capitalists, bankers, professional and other educated men, labourers employed in work not agricultural, male servants 20 years of age, and other males, not servants, 20 years of age. More than one-half of the whole of this number were actually labourers, and nearly 80,000 were male servants. If, further, we deduct members of the learned professions, and the superannuated and infirm of all ranks, the number of males remaining, of 20 years of age or upwards, not employed in some species of active occupation conducive to the general good, will be found not to exceed 10 per cent. The proportion in Ireland is still less. The number of female servants in the United Kingdom in 1831, was 923,646, or 75 in 1,000 of the entire female population ; the number of male servants amounted only to $17\frac{3}{4}$ in every 1,000 of the entire male population. The proportionate number of female servants in Wales was twice as great as in Ireland, but in Ireland the number of male servants was three times greater than that in Wales. The specification of the occupations of the population in the returns for 1831, is so little to be depended upon, that, as Mr. Porter remarks, it would only lead to erroneous conclusions. Thus, returns are made of 1 drug-grinder to 5,423 druggists, 1 coach-spring-maker to 5,030 coach-makers, and 3 coffin-makers to provide a daily demand of 300 coffins.

The influence of variety of occupations on the duration of human life, has only partially been investigated. The natural term of life is materially abridged by whatever tends to push exertion beyond its just limits, more especially in persons whose growth has not yet been fully confirmed. In the cultivated ranks of society, on the other hand, the mind is often forced into premature maturity, which seldom fails to impair the bodily health, and predispose the frame to disease. The habitual inhalation of poisonous vapours, or of subtle particles of dust, as in water-gilding, wool-combing, knife-grinding, &c.

is so destructive of life, that few are said to survive their fortieth year who are engaged in those occupations. Upon the whole, few situations are more favourable to health than that of the clergy. It would appear, however, that musicians and philosophers, and also medical men, enjoy the expectation of a long life. Of 815 medical practitioners of Germany, it was ascertained by M. Du Bois, that 365, or 42·9 per cent. attained the age of 70 years or upwards at death, which exceeds the proportions assigned to long-lived theologians.

The public records of this country afford little information as to the precise number of illegitimate children and unfortunate females. The disinclination evinced by Englishmen to enter on such investigations, has been ascribed by foreigners to a spirit of puritanism; but, in our opinion, it may, with much more truth, be referred to a higher tone of public feeling, and to the spirit of freedom pervading our national institutions, which resists such curious inquiries into private life. We have no doubt, however, that much advantage may arise from a discreet consideration of the subject; and, therefore, we propose to lay such facts as are known, briefly before our readers; not indeed with any view of pandering to a morbid appetite, by “searching every corner of nastiness as with a sun-beam,” but with a view to the prevention of one of the most formidable gangrenes which can affect the morals of a community.

According to the enumeration of 1831, the number of illegitimate births in England and Wales, was 20,039, or 1 in 19 of all that were born. The proportion undergoes, however, a remarkable variation in different parts of the country. In Wales, generally, it was 1 in 12; but in some of the Welsh counties, it rose to 1 in 7 and 1 in 8; whereas in Middlesex and Surrey (including the metropolis), it fell to 1 in 38 and 1 in 40. The facilities for concealment, which may be supposed to exist in the heart of a great metropolis, may, no doubt, have led to an undervaluation of the extent of illegitimacy prevailing within its limits, but the disproportion is too large to be accounted for entirely in this way. It was given in evidence by several gentlemen, before the Commissioners of Poor Laws, that the female was almost uniformly the party most to blame in such cases; and that, in a very large majority of marriages among the poor of rural districts, the female was either pregnant at the time, or had borne children previously. In very many instances the mothers were proved to have been accessory to the seduction of their own children, in the hope of securing

the powerful aid of the parish authorities in providing husbands for their daughters. On the one hand, the certainty of a provision for their unfortunate offspring, and the prospect of obtaining a husband by the same means, and thus obliterating their temporary shame, operated as a direct premium on female profligacy; while, on the other hand, the men were gratified to witness the proofs of future fruitfulness in their spouses. Not unfrequently they regarded their union with women who brought handsome allowances for their bastard children, as a good speculation. Children, in fact, gotten out of wedlock, were better supported, and less serious incumbrances to parents, under the old system, than those which were born under the sanction of marriage; so that to both parties a powerful motive was proposed for anticipating the ceremony. Human ingenuity could have devised no plan better calculated to corrupt the whole fabric of society than the old poor law. It was preeminently unwise. It poisoned the spring-head of domestic happiness, by destroying the self-respect of individuals; and it weakened the most sacred relations of life, by prostituting marriage to mean and venal objects. The new poor law has thrown protection around female virtue, by making it responsible for the whole effects of its aberrations; the beneficial effects of which have been most conspicuously shown in the diminution of illicit intercourse.* The exact amount, however, of the reduction of illegitimate births which has taken place, cannot be ascertained until the next enumeration is made.

The proportion of illegitimate births in France has been subject to very little variation during a series of years. From 1819 to 1834 it varied only from 1 in 13·6 to 1 in 14. In Austria, Denmark, and Mecklenburg, it is 1 in 9; in Bohemia, Saxony, Wurtemberg, and the Azores, 1 in 7; in the kingdom of Saxony, 1 in 6; in Hesse-Darmstadt, 1 in 4; in the kingdom of Bavaria the proportion is even larger. In the capital cities it is generally much greater, varying from 1 in 4 to 1 in 10, or 1 in 12. In Madrid it is 1 in 4; in Cadiz, 1 in 3½; in Paris, 1 in 3; in Lisbon, 1 in 2; and in Munich every other birth is illegitimate. We give these on the authority of the foreign returns digested by Mr. Senior for the Poor Law Commission. To the credit of Ireland, the re-

* The diminution of the number of marriages must be calculated as one of the results of the poor law. It would appear from the Commons Paper, No. 210, that the decrease in the number of marriages of labourers in Norfolk and Suffolk during the two years from 1834 to 1836, amounted to 40 per cent.—an effect which was by no means confined to these counties.

puted proportion of illegitimate children is exceedingly small; but we cannot altogether accept the amount of illegitimacy as any safe criterion of the morality of a country. In some countries, and especially in large cities, a systematic provision for the indulgence of illicit passion, may lessen the number of its consequences; while in others, again, an habitual disregard of the marriage vow, may legitimize the spurious offspring; but we cannot regard the erection of profligacy into a profession, or the relaxation of the bonds of matrimony, as any indication of a superior standard of virtue, but rather of increased and more hardened depravity. The prevalence of illegitimacy is, nevertheless, a bad sign, wherever it exists.

Mr. Colquhoun, in his work on the Police of the Metropolis, published in 1801, estimated the number of unfortunate females in the metropolis at 50,000, which was tantamount to the expression that every third or fourth adult female was a prostitute. In the address of the Association for the Suppression of Prostitution, the number is stated at 80,000. In a letter published in the *Times*, Jan. 14, 1837, by J. B. Talbot, Secretary, the number of brothels is calculated from 4,000 to 5,000, some of which are termed "company houses," and others are appropriated for "dress lodgers." It is impossible not to view these as exaggerated statements. The number of unfortunates registered in Paris, in 1834, was 3,816 (considerably the largest number for the last 22 years), which corresponds pretty exactly with the number (7,000) returned in the magistrates' enumeration for London in 1837. The tendency, as Duchatelet has observed, is always to exaggerate on such subjects; in proof of which he asserts, that, in 1802, Fouché, Minister of the general Police of the Republic, estimated the number of prostitutes in Paris, at that time, at 30,000. The first report of the Commissioners on the Constabulary Force, lately published, states that there are 3,335 brothels or houses of ill-fame in the metropolis. The following is the classification of prostitutes:—

Places.	Well-dressed Prostitutes living in Brothels	Well-dressed Prostitutes walking the Streets.	Low Prostitutes infesting Low Neighbourhoods.	Total.	Proportion to the whole Population.
London	895	1012	3484	6371	1 in 239
Bristol	85	267	925	1267	1 in 57
Bath	3	130	260	393	1 in 140
Kingston upon Hull	120	120	183	418	1 in 143
Newcastle-on-Tyne	55	43	353	451	1 in 131

This is a very favourable statement for London, and corresponds also with the small proportion of illegitimate children. It averages much below the proportion assigned to most other capital cities. In Leipsic, for example, it is 1 in 107; and in Dresden, 1 in 117. From some statements which have been made respecting Manchester, there is reason to believe that the evils of promiscuous intercourse are most prevalent in manufacturing towns. Congregated together in large masses, the two sexes are indiscriminately thrown together, while the heated atmosphere, which frequently obliges them to dispense with the decencies of dress, gives a pruriency and precociousness to the desires. Mr. Greig, in his *Inquiry into the State of the Manufacturing Population, &c.*, forcibly depicts these evils:—

“First, then, we shall remark, that nothing but personal observation, or the testimony of eye-witnesses, can be relied on for satisfactory information. The returns of illegitimate children, in the few cases where they can be procured, are worse than useless, for it will be obvious, on a few moments’ consideration, that in such cases they can afford us no possible criterion of the desired result. On this subject some writers on political economy betray the same ignorance as in the assertion of the extensive use of animal food among the manufacturing labourers.

“The fact undoubtedly is, that *the licentiousness which prevails among the dense population of manufacturing towns, is carried to a degree that it is appalling to contemplate*,—which baffles all statistical enquiries, and can be learned only from the testimony of personal observers. And, in addition to overt acts of vice, there is a coarseness and grossness of feeling, and an habitual indecency of conversation, which we would fain hope and believe are not the prevailing characteristics of our country. The effects of this upon the minds of the young will readily be conceived; and is it likely that any instruction, or education, or Sunday schools, or sermons, can counteract the baneful influence, the insinuating virus, the putrefaction, the contagion of this moral depravity which reigns around them?

‘Nil dictu visuque fœdum hæc limina tanget
Intra quæ puer est.’—p. 25.

Allowing for the honest vehemence of the writer, we believe that this description approaches too nearly to the truth. The old poor law, by weakening the restraints of virtue, contributed greatly to this effect. In many instances, under that system, the children of the parish were regularly contracted for by the large manufacturers, and chained like galley-slaves to the oar. And even now, necessity, destitution, and hardness of heart, combine not unfrequently to enact the same cruelty towards

illegitimate children. Without parents, without friends,—employed from morning till night in incessant toil—debarred from all opportunities of education, and shut out from all moral and religious instruction,—can we wonder that the grosser propensities of nature are called forth into rank exuberance, or that the habits of a mere animal are gradually induced? The stimulus to moral excellence being removed, and the charities of life undeveloped, can we be surprised that existence should be spent in a wretched alternation of labour and supineness, varied only by stupid sloth or reckless licentiousness?

The grouping of the population, as regards their religious faith, is a matter of much difficulty. The enumeration of 1821 designates the religion of the entire population of the United Kingdom, with the exception of half-a-million.

RELIGION.	England.	Scotland.	Ireland.	TOTAL.
Church of England ..	6,000,000	52,000	1,963,487	8,015,487
Catholics	500,000	40,000	4,838,000	5,378,000
Dissenters	5,468,000	2,000,000	45,000	7,503,463
Jews	12,000			12,000
Total	11,970,000	2,092,000	6,846,000	20,908,000

There is reason to believe that the number of dissenters from the Church of England has considerably increased since 1821, and that the number of Catholics has also greatly augmented. The number of Catholic chapels in England, in January 1839, was 431, to which 488 priests were attached. Among the dissenters the Methodists hold the chief rank in England. Their manners, no less than their zeal, are calculated to give them great influence among the lower orders.

The multiplication and improvement of dwelling-houses is an evidence of prosperity. In 1527 the number of taxed and untaxed houses in England did not exceed 520,000, the greater part of which were deficient in room, comfort, and convenience. In 1801 the number had increased to 1,870,000, of which 100,000 were in the metropolis. The average number of inhabitants to each dwelling, was 10 for the metropolis, and $4\frac{1}{2}$ for the country. In 1831 the number of inhabited houses in England and Wales amounted to 2,625,718, and the average number of inhabitants in each, to 5 persons. The number of inhabited houses at Exeter, taxed and untaxed, at the period of the Conquest, did not exceed 315; in 1821 they amounted to 3,256. In York, at the former period, 1,418; in 1821, 18,217. In Chester, 487; increased, in 1821, to 3,861. Some idea may be conceived of the filth and inconvenience of the

common sort of dwellings, not three centuries ago, from the following extract of a letter from Erasmus to Franciscus, Cardinal Wolsey's physician:—"Conclavia sola fere strata sunt argilla, tum scirpis palustribus qui subinde sic renovantur, ut fundamentum maneat aliquoties annos viginti sub se fovens sputa, vomitus, mictum canuum et hominum, projectam cerevisiam, et piscium reliquias, aliasque sordes non nominandas." The description is suited to the lowest order of pigstye.

The disposition to centralization or condensation of the population in large cities, is a further proof of civilization. In the reign of Edward III, the population of London, exclusive of the environs, was rated at 35,000, nor was there then another city in the United Kingdom (with the exception of Winchelsea) which contained as many as 10,000. In 1812, Mr. Colquhoun estimated that there was not less than 936 towns, having a population of 500 persons or upwards, or about 1 to every 16 square leagues. This was equivalent to the condensation of the population in Italy, during the most palmy days of the Roman Empire, and considerably exceeds that for any other modern state of Europe ; but such has been the increase and growth of small towns and hamlets since that period, that probably we shall not err in stating the present amount to be at least 1,300, of which there are at least 40 cities which contain upwards of 20,000 inhabitants. In fact, 21·8 per cent., or nearly a quarter of the entire population of Great Britain, are strictly civic, or living in towns having 20,000 inhabitants, or upwards.

England and Wales.		Scotland.		Ireland.	
1 above 1,000,000	1,474,069				
4 .. 100,000	618,366	2 above 100,000	364,582	2 above 100,000	311,171
7 .. 50,000	446,871			1 .. 50,000	66,554
2 .. 40,000	83,394				
3 .. 30,000	113,259	1 .. 30,000	32,784	1 .. 30,000	33,120
12 .. 20,000	277,937	3 .. 20,000	72,132	2 .. 20,000	51,976
Total..	3,012,896		469,498		462,811

History informs us of the existence of several cities of great extent, but of none which approached the size of London. The famous city of Athens contained fewer inhabitants than Manchester. Seleucia held 600,000 ; Nineveh, Babylon, Alexandria, Antioch, and Carthage, about 700,000 ; Syracuse, 800,000 ; and Rome, under the rule of the Emperors, 1,200,000. The population and wealth of London greatly exceeds any of these, nor is there any other modern city which at all approaches it in extent.

ART. VIII.—*The Death of Demosthenes and other Original Poems : with the Prometheus and Agamemnon of Æschylus*, translated from the Greek by George Croker Fox, Esq. London, John Bohn, 1839.

WE hail the publication of this work as a valuable addition to our literature.

With an elegant and graceful dedication to our young and interesting Queen, the volume consists of original poems, distinguished for beauty of thought, expressed in language classic and polished; and of translations rarely equalled for fidelity and vigour.

The first piece, *The Death of Demosthenes*, is indeed a noble subject, nobly executed. We believe it will induce many to study the orations of the great orator, “who is more praised than read, and more read than understood;”^{*} a singular circumstance in a country where eloquence is so necessary, and the more perfect the more useful and effective.

The Germans understand him much better than we; and the translations of Jacobs, Becker, and Raumer, infinitely transcend those of Francis, Leland, and Portal; while our first translation, made by the order of Queen Elizabeth, to animate her people in defence of their liberties, renders the thoughts of the orator with greater energy and conciseness.[†]

The last translation of *The Oration on the Affairs of the Chersonese*, by Lord Brougham, even at the first word of the exordium, where his lordship translates “Εἰς “It would be well,” shows that his lordship either has not felt the beauties

* Gillies.

† It was translated in 1570, by Thomas Wylson, Doctor of the Civile Lawes. He draws the character of Demosthenes in his preface with a master's hand. We will give, as the work is scarce, a short extract from it. “In three or fower poyntes united in him together, without doubt he passed greatly all others that ever weare. First, he had a singular judgement to devyse good matter, and to dispose the same most aptly as tyme and place required: agayne, he had the stomacke of a lion to speake boldly, although not to fight manfully, and did utter his meaning with such myght and gravity, that he appalled greatly the courages of all others whatsoever: thirdly, his utterance was so good (beyng made so by art even agaynst nature), that never any had better, either since or before. Lastly, he is to be praysed for that which passeth all other gyftes—that is, he was a very honest man, a just dealer, a true subject always to his country. I may boldly say, that Demosthenes hath more matter in a small rounge than Tullie hath in a large discourse—that Demosthenes writing is more binding, more fast, firm, and more agreeable to our common maner of speach than Tullies orations are. And who speaketh now as Demosthenes doth, I do thynke hee should be counted the wiser, the more temperate, and the more grave man a great deale than if he wholly followed Tullie, and used his large veyne and vehement maner of eloquence. Besides this, Demosthenes used a playne familiar maner of writing

of Demosthenes, or has not the power to express them. We think both; for his lordship asserts that that *called* the *Fourth Philippic* is by Demosthenes; though every *scholar* knows that it is only made up of scraps from the others, and is wholly without the masterly and luminous arrangement* which distinguishes Demosthenes.

We possess the works† and letters‡ of the first professors in Germany, expressing their astonishment at the BLUNDER which his lordship has made, and the pertinacity with which he defends it.§

Even his lordship's schoolboy acquaintance with the Grecian literature might have guarded him against such a fatal mistake. Though he knows nothing of the writings of Becker, Vömel, Westermann, Rüdiger, or Rauchenstein, but consults, in a difficulty, only Francis, Leland, Reiske, or Auger, we once thought he knew more about Demosthenes. He has, however, at last convinced us that he is as superficial as Margites in his learning, and as vain as Tully in his speeches—with eloquence without wisdom, and talents without judgment—*Satis loquentiæ, sapientiæ parum.*

Demosthenes in this country is read but in part:|| the *Philippics*, *Olynthiacs*, *On the Peace*, *The Classes*, *For the Megalopolitans*, *Liberty of the Rhodians*, the *Regulation of the State*, the *Crown*, perhaps *Against Midias*; rarely indeed those *Against Leptines*, *Conon*, *Timocrates*, and *Aristocrates*.

and speaking in all his actions, applying hymselfe to the peoples nature and to their understanding, without using of Probeme, to wyne credit or devysing conclusion to more affections, and to purchase favor after he had done his matter: whereas Tullie, with hys flowing eloquence, sought to wrest the judges to his purpose, both at the beginning, in the middle, and at the end, not trusting it should seem to the goodnesse of his cause. . . .

“Sir John Cheeke was moved greatly to like Demosthenes above all others, for that he saw him so familiarly applying himself to the sense and understanding of the common people, that he sticked not to say that none ever was more fit to make an Englishman tell his tale praiseworthyly in any open hearing, either in parliament or in pulpit, or otherwise, than this onely orator was!”—The best list of the editions of Demosthenes is given by Dr. Vömel, in the “Allgemeine Schulzeitung, 5th August, 1832,” and by Dr. Becker, in “Literatur des Demosthenes.”

* “Ejus autem oratio est tanquam corpus unum suis membris coagmentatum.”

+ “Integram esse Demosthenis Philippicam II, APPARET ex DISPOSITIONE.”—Vömel. The Greek Rhetoricians are too much neglected. Hermogenes should be read with Demosthenes.

† Demosthenes und Aeschines ueber die Truggesandschaft von Dr. A. G. Becker, und Westermann Quæst. 6.

§ A distinguished professor writes, “Quæ scribis de Broughamio ejusque de Philippica quarta *judicio*, fateor satis MIRARI non possum. Num prorsus ille Germanorum de ea re scripta neglexit? An pudet cum sententiam semel pronuntiatam revocare? tu ipsum nosti virum excellentissimum fac ut resipiscat.”

|| “Disquisitio de Demosthenis Eloquentia,” by Sholten, should be read.

Yet the study of the **ONLY** perfect orator would do much to promote a taste for pure* oratory, and excite a love for real patriotism. For his orations contain the closest reasoning,† the grandest figures, and the sublimest sentiments in language, singularly clear and simple; his whole life was passed in promoting the happiness and glory of his country—unstained by a single vice.‡ Stern virtue alone directed all his actions; his character is the noblest which history presents, and is portrayed in all its force and beauty by Mr. Fox.

The poem commences with a soliloquy of Demosthenes, fled for refuge to the temple of Neptune, lamenting the ingratitude of his country to its patriots, Aristides, Themistocles, Pausanias, and Æschylus.

We are sure that our classical readers will think with us that the character of Æschylus is well given in the following lines:—

“Then, in the highest verse,
Recording, not unconscious of his own,
His country's fame, invok'd the Tragic Muse,
Exalting virtue and denouncing crime,
And dignifying mind with noble thought,
That amidst suffering, pain and woe, preferr'd
The right, though link'd with ruin, to disgrace;
Creator and adorer of the Stage,
At once made perfect by his genius vast;
Which, like a meteor blazing in the Heav'n,
Excited awe and wonder amongst men,
Shedding on these its intellectual light:
And shaking guilty souls with terror new;
But to the virtuous shone a star of hope,
And augury of human excellence.”—pp. 2-3.

The orator sees, in his mind's eye, Athens, her temples and edifices—the Acropolis, the Propylæa, and the Bema—from which he launched the thunders of his eloquence, roused his torpid countrymen, arrested the progress of Philip, and crowned himself with glory.

* We recommend to our readers “*Die Beredsamkeit eine Tugend*,” by Thermen (Berlin, 1837), to prove that *pure* eloquence is the instrument of virtue.

† “Chains of reasoning, examples of fine argumentation are calculated to produce their effect upon a far nicer, a more confined, and a more select audience,” says Lord Brougham, speaking of Demosthenes. *Attic* orators, and *attic* audience!!! His lordship diverts the House of Lords, but, we assure him, he has **EQUALLY AMUSED** the **SCHOLARS** of Germany.

‡ The charge of receiving a bribe is triumphantly overthrown by Pausanias, by the very learned Professor Becker (a translation of whose valuable “*Life of Demosthenes*,” and the works necessary to understand him, will shortly be before the public), by Professors Niebuhr and Heeren, and by Westermann, Professor of Eloquence at Leipsic, and author of the best work on the history of eloquence, “*Geschichte der Beredsamkeit*.” Leipzig, 1825.

“ I at least
 Vanquish'd by treason, rather than Antipater,
 If doom'd to perish by his emissaries,
 Shall die within the sight of these ; may fix
 My last regard upon Athena's shrine,
 Inviolatè, unrivall'd, that adorns
 Her old Cecropian, fam'd Acropolis,
 And catch the radiance of Minerva's helmet,
 Emblem of Glory, wrought with Asian spoil,
 That often, darting on my eye, before,
 Shot inspiration to my heart, when rising
 Above the listening and excited throng,
 From the proud Bema, I address'd the people,
 And won their universal plaudits. Dying
 E'en here, I may admire those purple hills,
 Those groves of fertile olive, her best gift.
 Of which the yellow honours often crown
 The temples of her champions ; hence may view
 The Propylæa chaste, superb approach
 To the fair Parthenon, and shrine of Polias ;
 And, if I may not with the visual orb
 Behold the Pnyx, lov'd scene of glory past,
 Whence I made Philip tremble on his throne,
 Familiar objects round it and above,
 Can to my mind recall the triumphs gain'd.”—pp. 4-5.

These are really beautiful verses. At the conclusion of the speech the priestess assures him of safety in the temple of the Ocean God. The chorus which follows is in the true spirit of the ancient chorus—simple, concise, grand, and impressive ; for it we refer the reader to the book itself.

The description of the war-horse* shows how well Mr. Fox can feel the inspiration of the Sacred muse.

“ Thou from earth
 Didst cause to spring the proud and generous steed,
 With terrible nostril, mane in thunder clad,
 In battle whirling the dread car along
 Through hostile ranks, of yore, and bearing now
 His rider, Centaur-taught. With ear erect
 He lists rejoicing to the trumpet's voice,
 Regardless of war's horrors ; and where Mars
 And fierce Bellona tread with bloody step
 Rages indignant. Or triumphantly
 Moves with th' Athenian people, when they go

* A fine imitation of *Job*, (c. xxxix.) v. 24 of which is wrongly translated in the Anglican version : “ Neither believeth he that is the sound of the trumpet.” It should be, “ standeth not still,” as it is translated by Professors Lee of Cambridge and Umbreit of Heidelberg.

Once in the year to yonder beauteous shrine,
That crowns th' Acropolis, with haughty mien
Champing his frothy bit, curvetting high,
With neck and hoof superb."—pp. 8-9.

The great masterpiece of Demosthenes' skill as a statesman—the greatest* act of diplomacy achieved, in ancient or modern times, by eloquence alone,—which united two hostile states, led them into the field to fight for liberty,—“confounded Philip's schemes, checked his advancing step, overthrew his counsel, set his influence at nought,” and would have vanquished him, had the General been only equal to the Orator,—concludes the third chorus.

He then contrasts his integrity with the venality of Demades and Æschines. The first name is generally, as Mr. Fox observes, marked with the *short* and *wrong* quantity. He gives all the authorities to be consulted respecting an orator, perhaps the greatest for extemporaneous eloquence;—a common sailor, self-taught, and rising, by the force of his genius, to compete with Demosthenes, and to be estimated even above him. Theophrastus said he thought Demosthenes worthy of Athens, but Demades above it.†

The orator then lays down to repose, and in a noble burst of lyrical poetry and eloquence the priestess sings the praise of the Grecian patriots. Demosthenes then awakes, and tells the ominous dream which he has had, “contending with Archias, who frowned with looks of scornful anger and revenge. We shall give the speech, as it is perfectly attic for grace of expression and harmony of numbers: the last lines are particularly beautiful.

“How strange a power is sleep, how like to death;

* “Was musste dazu gehören ein Bundniss zu stande zu bringen, wie er sie wiederholt zu Stande gebracht hat? Welche Kunst die leitenden Männer zu gewinnen, und überhaupt die Menschen zu behandeln. Ihm gegenüber standen vielmehr die Männer, die über alles, was die Habsucht und die Ehrsucht reizen kann, zu verfügen hatten. Was hat er diesen entgegen zu setzen, als seine Talente, seine Thätigkeit und seinen Muth?”—*Heeren*.

† We believe Doctor Kiesling has published some additional fragments of Demades, with those of Hyperides, in addition to those collected by Lhardy and Pluygers. Mr. Fox, in p. 29, has given us one of Demades' prompt and witty reproofs, which awed Philip even in the intoxication of victory, and made him the monarch's friend. The style of Demades is perfectly described by Demetrius Phalareus:—“Περί μὲν οὖν τῆς Δημοαδείῃ δεινότητος ἄρκιῃ τοσαῦτα. καὶ τοὶ ἐχούσης τί ἐπισφαλές, καὶ οὐκ ἐνμίμητον μάλα. ἐνέσι γὰρ τι καὶ ποιητικὸν τῷ ἔιδει ἔιγε ποιητικὸν ἢ ἀλληγορία καὶ ὑπεριβολὴ καὶ ἔμφασις ποιητικὸν δὲ μίσητον κωμωδίας.—*De Eloc. Apophth.* 304. We believe these fragments will be given to the public in the notes to a translation of Westermann's “History of Grecian and Roman Eloquence,” which will shortly be published.

The greatest poet calls him Death's twin brother !
And then th' ominous dream, that oft invades
Our rest, especially when danger threatens ;
For whilst the body sleeps, the mind awake,
All spirit, and unclogg'd of its terrene
Companion, in the realms of time and space
Excurses, and for glimmerings of its lot
And that of its poor tenement on earth,
Itself immortal, peeps into eternity.
E'en now I dream'd, that in the theatre
With Archias I contended for the prize,
And gain'd the plaudits of our citizens,
Winning the victor's crown ; but still methought
Something was absent from my well-earn'd fame ;
Inferior being th' adornment of the place,
The dresses unbecoming, the machinery
Far from convenient ; and the chorus sang
With voices inharmonious. Archias frown'd
With looks of scornful anger and revenge :
There must be more in this than was apparent ;—
Danger impends. But radiant Hyperion
Ushers the cheerful day, perhaps to me
For the last time. A light of gold and purple,
From the far east, streams on the Parthenon,—
Crowning its marble roof with a proud halo,
Like that of Glory, which adorn'd my brow,
When I o'ercame that sailor-orator,
Demades, my most formidable rival ;
Whose tongue, facetiously severe, undid
Often the web laborious thought had spun.
And, although dissolute, a tyrant's wrath
Demades brav'd ; from Chæronea's fight
Led captive to the presence of the king,
When Philip had the meanness to insult
His prisoners bound, before him, thus Demades
Reprov'd him wisely : ' Monarch, grac'd by Jove
With Agamemnon's features, thy behaviour
Proves that thou hast the spirit of Thersites.'

“ Beneath the eye of wakening Phœbus, glows
Remote Citheron. I perceive the breeze,
Full often welcom'd as the morning dawn'd,
And, wandering early forth, from Lycabettus,
I caught, as now, the first glad solar ray ;
Imbibing health and joyance at the view
Of mountain, ocean, temple, grove, and stream,
Crown'd with the shadowy glories of the past,
In one unrivall'd landscape spread before me,

And bath'd in a pure flood of cloudless light :
 Such the enchantment of our Attic clime :
 Its atmosphere elastic cheers the spirits,
 Its serene beauty sinks into the mind,
 And makes Elysium there. But I no more
 May breathe the mountain air, nor seek repose
 From day's too fervent beam beneath the shade
 Of spreading platanus, or clustering vine,
 Mingled with the pomegranate's blossom fair ;
 Or scented almond flower and pendant fig ;
 Nor lonely watch the plaintive nightingale,
 Daughter of Pandarus, on the rose-bough,—
 With tuneful throat and agitated wing,
 Mellifluous pouring forth her heart in grief
 For the lost Itylus : nor may I pace
 With Plato's spirit ancient Academe,
 Nor walk with Aristotle in Lyceum ;
 Nor climb again to lov'd Athena's shrine,—
 Cut off from human joy, and on the brink
 Standing of time. The destin'd hour is nigh.
 I feel, I feel, that ebbing back from life;
 The waters of eternity approach
 To bear me with them on their reflux tide."—pp. 28-31.

Archias, with armed Thracians, now enter the temple, and the chorus warn him against violating its sanctity. He endeavours to persuade Demosthenes to leave it, and follow him to Antipater. The patriot rejects his offers with sarcasm and indignation. We shall quote—

"Long have I known thee, Archias, as actor
 Upon the stage of Athens : thou art still
 An actor, in this occupation new
 Of treason to thy country. I will not
 Confide in these professions. Thinkest thou
 Thee and our citizens I know not well ?
 Alas, the gold of Philip and Antipater
 Had not subdued your souls freeborn, unless
 Licentiousness and luxury had debas'd.
 Now are you slaves indeed, more than the Helots,—
 More than the vilest wretches that crouch down
 Before the throne of Persia : for, compell'd
 By force, or sad inheritance, these bend
 The servile knee,—not willingly, as thou :
 Who wouldst, in search of gold, lick up the dust
 On which a tyrant treads, with sandall'd foot.
 That fatal metal in his hand can burst
 The gates of cities, and with ease o'erthrow
 Opposing monarchs. Gold is freedom's bane :

Then how may such as thou resist its touch,
 Nameless and soulless being, whose delights
 Rise not above thy sensual wants. To be
 Fed at his table, deck'd in costly robes,
 And, for the boon conferr'd, before his throne
 Submissively to listen, thou art prompt,—
 Reckless of Grecian liberty or fame ;
 And, like the brute creation, art content
 To perish unregarded, if thou may'st
 Riot, as they, in hourly fruition."—p. 34-35.

The priestess interposes to moderate his wrath; but Demosthenes again upbraids the traitor. Archias expresses his surprise at Demosthenes defying the king of Macedonia. The chorus again advise Archias to withdraw. The priestess joins in their prayer for chastisement of his audacious sacrilege, and implores the vengeance of the insulted divinity. Demosthenes now resolves to die. Archias urges his departure. He requests a moment's delay, and declares his determination not to sell his honour. At the conclusion of his speech he swallows the poison. Archias reproaches him for pusillanimity. The orator, aware of his approaching death, strong in conscious virtue, recounts the many and great deeds he achieved for Athens, and repels the charge of bribery. Here the greatest of orators and patriots expires.

A chorus chaunts the praise of Demosthenes, justly observing—

“ His eloquence,
 If sought, may only in himself be found,
 Like gold which shines less brightly when alloy'd.”

To those who love Demosthenes, and who have made him the study of their lives, our citing this beautiful chorus cannot but be pleasing. Mr. Fox has placed Demosthenes in Elysium, between Homer* and Thucydides; the latter of whom he copied eight times, and whom he so much resembles in his Olynthiacs.

“ Behold he dies,
 Archias; escap'd from tyranny and chains,
 The man who rul'd th' Athenian multitude
 By the proud mastery of his Siren tongue,
 Long disciplin'd

* The celebrated figure, 'Ανεχάριστε, in p. 411 of the 4th volume of his speeches, Lord Brougham bungles to make out. It was suggested by Homer. His Lordship talks of *Ulpian*. A *wec* bit of a mistake. It was *Zosimus*, not *Ulpian*, who wrote the Commentary on Demosthenes. He calls Reiske too a *great* authority. He will not think so, if he reads Wunderlich and Becker. At it again!! His Lordship knows a little of many things, and but *little* of others.

In silence and retirement, to frame
 Melodious accents, by the glimmering lamp;
 And ceaselessly contended for the meed
 Of well-earn'd fame !

*

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“ Behold him thus,
 Pale, silent, motionless ! Those eyes no more
 Shall beam with passion, as his language warms !
 Those hands no more be rais'd, his words to aid,
 With eloquent gesture ! Nor that lofty brow
 Frown with fierce indignation, as he pours
 A stream of thought, to wrap the hearer's sense
 In wondering admiration ; and along,
 Through all the mazes of his argument,
 Carry the soul entranc'd, not by the power,
 Most musical, of cadence, voice, and words
 Alone, but by the strong resistless tide
 Of reason, that convinced the list'ner charm'd.

“ Hush'd is that tongue,
 Alas, for ever, which his rival, fam'd
 For purity of diction, and for grace,
 The scarce less powerful Æschines, compar'd
 To the soft Siren's eloquence divine :
 Yet, stung by envy, ventur'd to impeach
 Before the Senate,—when a strife arose,
 Worthy of two such giant orators.
 Contending for a prize in the great field
 Of intellectual war.

But Æschines was vanquish'd, and withdrew
 To hospitable Rhodes, where, in defeat
 Magnanimous, he stated to the people
 His cause of banishment and glorious strife ;
 Repeating his oration. Then the Rhodians
 Him questioned what Demosthenes had said
 In exculpation.

The generous Æschines, in glowing terms,
 His foe's defence related, louder plaudits
 Burst from the list'ning crowd ; ‘ What, then,’ exclaim'd
 Th' Athenian, ‘ had your admiration been,
 Had you but heard and seen him when he spoke,
 (As though a lion roar'd), grandiloquent,
 But musical as is Apollo's lute,
 Persuasive as the Siren's witching strain,
 Equall'd by none, and envied most by me ?'
 None can describe, none ever may translate,
 His words into their own. His eloquence,
 If sought, may only in himself be found,
 Like gold, which shines less brightly when alloy'd.

“ Mute are those lips,
So often exercis'd in freedom's cause ;
That never any argument maintain'd
But virtue's, never with a tyrant's praise
Were soil'd, or silent at a traitor's voice.

“ Where shall his spirit be ?
In fields of asphodel, or verdant bowers
Of soft Elysium, where the good repose,
Remote from care and woe, enjoying still
The glory here obtain'd, and ever crown'd
With amaranth. Methinks I see him now,
Between two kindred souls, in fond discourse,
Of patriotism, eloquence, and song,
As with his equals: one the poet king,
Great Melesigenes, of highest fame,
In verse supreme, as long as time endures :
I know him by the furrows on his brow,
And that capacious forehead, largely spread,
On which enthron'd imagination teems
With new creations, in its proper world ;—
The other form, of less exalted mien,
Walks with a pace more measur'd and sedate,
As one in deepest thought,—yet turning still
Towards our great orator, a kind embrace
Bestows, as on a lov'd companion found,
Or apt disciple of philosophy,—
Thucydides his name.”—pp. 60-64.

The priestess concludes the poem by ordering the obsequies to be performed of the great prince of eloquence.

To a classical reader this singularly beautiful poem must have the highest charms. The severe taste; the just portraiture of the greatest patriot and orator; the noble sentiments which adorn its pages, and the glowing eloquence which enforces its lofty morality; the admiration and love which the poet endeavours to excite and kindle for patriotism; the manner in which he has felt, and makes others feel, the majesty, the virtue, and the purity of the character of Demosthenes, are so admirable, that no power of ours can enhance them.

The next poem, *Achilles*, opens with the hero, apart from the Grecian host, in stern repose, attended by his beloved Patroclus. We shall give the scene, as well as the *Song to the Harp*.

“ On Ilium's field of combat, shadowy night,
Descending welcome, check'd the rage of fight ;

Pale Greece, aghast, behind her wall retir'd ;
 Her boasted navy seem'd already fir'd ;
 Hectorian taunts came thick on every breeze,
 Her canvass half-unloos'd to cross the seas,
 But Phrygian watch-fires brightly gleaming o'er
 The plain, reveal the vessels, camp, and shore.
 What hopes are left ? Achilles in his tent
 Wills not to fight, expecting the event ;
 And carnage, glutted with the slain, might tell
 His prayer for vengeance had been heard too well.
 If generous pity e'er his bosom warm,
 Pride intervenes, and passions raise a storm :
 Sternly he dooms the Grecian host and lord
 To perish by the Trojan's ruthless sword ;
 Then clasps in thought his aged sire again,
 Forgetting Troy in Phthia's tranquil reign,
 Compounds with fame for long inglorious ease,
 And vainly dreams pacific sceptres please.
 The master-passion triumphs ; o'er his soul
 Glory can arrogate supreme control ;
 Though memory warn him that the Fates afford
 Nestorean years, if he resign the sword,
 But proffer laurels, and an endless name,
 With early death, if still he worship fame.
 ' To fight, bleed, conquer, perish, be it mine,'
 He cried, ' if dying I embrace her shrine ;
 But ah ! my wrongs forbid this hand to draw
 My sword for Greece—revenge my only law !
 Ere I the tyrant join, on terms of peace,
 May Argos perish ; let my glory cease !'—
 Peleides thus indulges boundless ire,
 His mournful comrades in despair retire ;
 Fast down their cheeks in patriotic woe,
 For Greece, ill-fated Greece, their sorrows flow :
 Patroclus, with dejected air, remain'd
 In silence, and his latent anger rein'd.
 The others, sadly wandering round the shore,
 Deplor'd their doom, to succour Greece no more.
 Achilles seiz'd a harp of silver frame,
 And from his lips impassion'd accents came.

SONG.

' Harp, that canst quell the rage of kings !
 Harp, charmer of the festal board !
 Thy potent shell and magic strings
 Can to its sheath return the sword.
 When bow'd to dust before our ire,
 Fair Thebe sank, my prize wert thou !

Thus rescued from consuming fire,
Oh, calm my burning bosom now!
That thought adds fuel to the flame!
From Lyrnessus' neighbouring wall
The dark-ey'd nymph Briseis came,
Briseis now the tyrant's thrall.
Rather to my rapt ear renew
The sounds of conflict scarcely o'er,
That still in fancy, I may view
Scamander, red with Grecian gore!
I joy the purpling flood to see!
The shouts of conquering Troy are dear!
For thus avenged I may be
And check Atrides' proud career.
Hark! Hector's voice to heav'n ascends,
Troy's baleful torches flicker high!
To-morrow, Greece, thy glory ends!
To-morrow all thy thousands die!
And must Peleides here remain,
To watch the hated Phrygian fire!
Ah! might each Argive chief lie slain,
And Troy by this strong arm expire!
Then, like the pestilential star,
Meteorous Chiron's spear should beam,
Unnerving Hector's arm afar,
Gorging with slain, Scamander's stream.
As a young spouse adores his bride,
Do I rejoice in battle's charms;
I shun the feast, the dance deride;
My only good—the clash of arms.
Vibrates my harp to notes alone
Which fire the soul's heroic strain;
And echoes groan succeeding groan,
Caused by my honour's endless stain."—pp. 70-73.

When the strain has ceased, the embassy of Ajax, Phoenix, and Ulysses approach. This is a fine imitation of Homer: the speech of Ulysses is eloquent, but we must abstain from quotation.

The description of morning, in the opening of the second Canto, is effectively given by a few masterly touches and picturesque expressions.

"Aurora, now escaped the reign of night,
On Ida's summit pours her earliest light;
The mountain with that golden halo crown'd,
To distant mortals seems celestial ground;

But when emergent from hoar Ocean's reign,
 Peeps Hyperion o'er the level main,
 His bursting rays a tide of glory fling
 On earth, sea, skies, that smiling hail him king.
 All nature joyous smiles, but abject man,
 That strange exception to her general plan,
 Whose erring mind imperious passions sway,
 Reluctant reason's dictates to obey.—
 A worm, a reptile, basking in the hour
 Of fortune, or tormented by her power;
 Elate to-day, to-morrow weak and vile,
 He quits a throne, to grace a funeral pile;
 Ambition's minion once, now base and poor,
 He begs, a vagrant, at each wealthy door:
 Ardent in youth, on pleasures bent alone,
 He spurns reflection, deems the world his own;
 But learns too soon, that each revolving year,
 The myrtle wreath and laurel crown grow sere."—pp. 80-81.

The night-scene will give the unlearned reader a better idea of Homer's celebrated description than Pope's translation, which we agree with Dr. Thiersch, of Munich, is too paraphrastic, and does not give the force of—

—— γεγηθε δε τε φρενα ποιμην.

" On that eventful eve chaste Dian rose;
 The silent world in placid beauty glows;
 Ionian nights surpass our northern days,
 So pure the air, so cloudless Phœbe's rays.
 In magic circle each inferior star
 Seems trooping to attend her glorious car;
 The lovely goddess, through translucent skies,
 A bursting splendour flings: the mountains rise
 First on the view;—then capes and distant isles,
 And in the mellow light hoar ocean smiles:
 The oak and pine reflect a silver beam,
 Which thence descending, quivers on the stream:
 Last are illum'd the camp and martial train,
 The gory arms and features of the slain:
 On death's pale visage paler hues are shed;
 Look the assistants less alive than dead,
 So still, so hush'd, in a full tide of grief,
 His mournful friends surround the Peleian chief." pp. 94-95.

Mr. Fox concludes his poem by observing, that he has culled from the Homeric garden. He has, however, added a choice flower of his own—the immortal Amaranth—in the impressive moral, and Christian feeling, which shine on and hallow the subject of blind Mæonides.

The *Statue of Paris* evinces the same polished and elegant mind which characterises the other poems. The three little poems which follow are perfect gems, and will be read and admired by all who feel and love beautiful sentiment expressed in beautiful language. We particularly admire that to the *Rose*, and the one to *Lucy*,—the last stanzas of the latter are exquisite. We shall give the whole.

“ Lucy, on silent wing, remorseless Time
Has borne again twelve circling moons away,
Fast hurrying from this terrestrial clime,
Whate'er is great, rich, noble, young, or gay !
With morbid, cold, and yet unsparing hand,
Time sheds fair Flora's wardrobe on the ground ;
Nor sapient Hermes, with his magic wand,
Could renovate her beauties spread around.
Time strips of man the majesty and power,
His frame unnerves and shakes his lordly mind ;
Till, evanescent, drooping like a flower,
He perishes, nor leaves a trace behind.
Time, crumbling temples, overturning thrones,
Unbinds victorious laurel from the brow :
O'er pillar'd roofs and monumental stones,
'Tis Time that bids oblivion's ivy grow.
Lucy, tyrannic Time not yet presumes
To stamp his impress on thy forehead fair ;
Love's purple light thy glowing cheek illumines ;
No wintry hues invade thy auburn hair !
And should the despot cancel all but love,
Immortal Cupid, pois'd on ready wing,
Expands his golden plumes to soar above
The cares and perils envious Time may bring.
Psyche, the soul's pure empress, charming still,
Because eternal, can maintain delight,
O'er earthly beauty Time asserts his skill,
But strives in vain celestial to affright.”

Mr. Fox excels not merely in original poems ; in translations* he is equally great. It is but rarely that the mind that loves to give wings to its imagination, and exercise its creative

* We conceive the most perfect translations, Davanzati's " Tacitus," Voss's " Homer," Wieland's " One Speech of Isocrates," Wolff's " Clouds of Aristophanes," Strombeck's " Tacitus and Sallust," and Humboldt's " Agamemnon of Æschylus." For our knowledge of Davanzati we are indebted to Lord Abinger.

powers, can descend from its celestial height; that the eye which glances from "earth to heaven" can limit its range, and confine its powers, to translation; and that on a subject where the nicest and most laborious criticism is required—on a poet whose meaning is the most difficult often to conceive, from its brevity, and to express from the want of an equipollent term in our comparatively poorer language. Yet Mr. Fox has done this without producing a stiff or harsh translation. The commentators, we fear, have not aided him much to elucidate the text; for we have as yet no adequate edition of *Æschylus*,—nothing like the illustrations we have heard from Herman at Leipsic, and Welcker at Bonn.

Abresch, Stanley, Wellauer and Blomfield, but too often disappoint you. Schütz's criticisms are flimsy, and his mode of giving connexion and order to the choruses, futile. We cannot praise the translations of Potter, Symmons, Harford, and Chapman. The first is too loose, the second too turgid, the third too diffuse, and the fourth too bald. *Æschylus* is a poet that indeed deserves translation. He is the Michael Angelo of the Grecian stage—its creator. The Tuscan and the Athenian are kindred minds; sublimity of conception and sublimity of expression belong to both. Peruse the *Furies* of *Æschylus*, and then contemplate the *Fates** of Michael Angelo. Take up the *Prometheus*, and survey the *Morning on the tomb of Lorenzo*.† Read the chorus to the *Furies*, in the *Eumenides*, and look at the *Furies agitating the bosom of Lorenzo*. Both have the *terribile rita*—the true sublime,‡ which awes and bows down the mind. You tremble whilst you read the *Agamemnon* of *Æschylus*, or look at the *Last Judgment* of Michael Angelo.

"Lasciate ogni speranza voi ch'entrate."—*Dante*.

Milton, who felt and studied the true sublime, has abundantly drawn from *Æschylus*. But we must return from our *excursus* on a subject so interesting and so ample. The *Agamemnon* is Mr. Fox's crowning piece. It is the finest§ of *Æschylus*' tragedies, but the most difficult, not only from

* Now in the Pitti Palace at Florence.

† In the Church of St. Lorenzo at Florence.

‡ We think the etymon of the word is given by Mr. Talbot, in his "*Hermes*." Dr. Parr was wrong.

§ "Unten allen Werken der Griechischen Bühne kommt keines dem *Agamemnon* an tragischer Erhabenheit gleich."—*Humboldt's Translation of the Agamemnon of Æschylus*.

the errors of the text, but from the oracular conciseness, the doubtful meaning, which mysterious prophecy casts over it. Mr. Fox, however, has given us a noble translation of it in English,—of such fidelity, so pure, idiomatic, and racy, that we may know no equal to it, excepting that in German by Humboldt.

We have now done our most arduous but pleasing task,—a review of the finest poems which have appeared for many years. In this utilitarian age of steam and vapour, where, whilst we are going on with our railroads, we are going back in our learning, it is rare to find a mind which can think with and emulate the ancients—give a new charm to classic literature—call forth the mighty spirits of Greece—bring them, with all their eloquence and genius, before us—create with them, copy after them. Mr. Fox, therefore, deserves our commendation, and merits our gratitude for his classical volume of poems; for nothing perfect in eloquence, nothing perfect in poetry, can be produced, unless we love, study, and imitate the great masters of thought and taste—the ancients—

“ ——— color che sanno.”—*Dante.*

The classical is another name for the beautiful, and Mr. Fox's volume must charm all, except the ignorant without learning, and the learned without taste.

ART. VIII.—1. *Charles Tyrrell.* By James.

2. *Helen.* By Miss Edgworth.

3. *Ernest Maltravers, &c.* By E. L. Bulwer.

WE resume our sketch of English novelists, with the works of one who has long been a favourite with the public. Mr. James is a steady, laborious, and pleasing writer, but he is by no means a man of genius; he bestows considerable pains upon his stories, which are intricate, and carefully and clearly developed; his characters are sufficiently natural and pleasing to bear their part well; and in general the principles contained in his novels are so good, and their tone of feeling so excellent, that it is impossible to peruse them without pleasure; but neither his characters nor his scenes dwell upon the mind; they do not strike the imagination, nor do we again recur to them—he has not the power of giving identity to the one, or life-like quickness to the other; and this does not

arise so much from any dullness or fault in the conception, as from the want of power to give effect to his own ideas. In his writings we find also that very common deficiency amongst novel writers,—he has no dialogue—he cannot make his people talk ; or, when they do, their conversation is felt to be an interruption to the story—a few pages that may be safely skipped—rather than the means by which we take most pleasure in studying to know them. But if this fault be so common, why bring it as a charge against Mr. James ? We do so, because this power of conversation is so great a requisite, that no one, who does not in some degree possess it, can claim the rank of a first-rate novelist. It is this power of making his characters talk, which gives to Walter Scott's novels their power of fascination, and makes them delightful even after we fancy that we know them by heart. Let any one take the speeches of Dandie Dinmont, Dugald Dalgetty, Baillie Jarvie, Andrew Fairservice, or twenty others ;—merely their speeches, unconnected with any incident, and consider them as compositions ; see the astonishing quantity of ideas and illustrations, some droll, and all expressive, drawn from the individual's own pursuits, the quaint phrases conveying positive information, the technical habits introduced in them, and the way in which we are made to look at objects through the mind, as it were, of each particular personage, until we see not only the contrast in their own characters, but that presented by the object in discussion, under the different aspects in which they are viewing it ; and the whole strikes us with that keen sense of the ridiculous which such contrasts will sometimes give us in real life—sometimes, but not often ; for their salient points are seldom brought out in such rich relief, even by nature herself, as by this inimitable author. It is this enchanting talent, too, which renders Walter Scott, in spite of his prejudices, an unprejudiced writer. Take every individual of all the various and many he has introduced to us—every individual, at least, who represents a class,—the hired soldier—the soldier, whose heart is in his cause, the intriguing noble, the merchant, the lawyer, the smuggler, the gipsy, the pirate,—it would be endless to enumerate them,—the Puritan, the High Churchman, even the persecuted Catholic monk,—to them all Walter Scott has given words, enabling us to see into the depths of their hearts, to read there their own views and feelings, their motives, their sufferings, and their temptations,—something, in short, that serves to exemplify the homely truth, that “ there is

much to be said on all sides," and accounts for, without justifying, the violence of party strife. And thus, however much, in party questions, prejudice may mislead him as to matters of fact, Walter Scott has ever been to human nature in general, and under all its various circumstances, a discerning advocate, and a just judge. It would be vain, indeed, to expect in any other writer, that combination of talents which enabled Walter Scott to identify himself with the person represented, and to pour out, through that medium, all the stores of anecdote, and knowledge, and imagery, which he had treasured up upon almost every subject; but it is undoubtedly true, that *something* of this power of giving life and identity to his characters, is essential to every novelist, although there is no point on which failure is more frequent. If we cannot in this respect consider Mr. James as an exception, yet his works contain other beauties of a high order,—he has evidently a delicate perception of natural beauty, and easily and vividly portrays it; his works abound in descriptions, from which beautiful paintings might be made, and which we consider equal, although their style is different, to the far-famed descriptions of Mrs. Radcliffe. We have selected one of these passages as a specimen.

"The spot through which the travellers were riding, and which was a wide piece of forest ground, one might have supposed, from the nature of the scenery, to be as common to all lands as possible; but no such thing,—and any one who gazed upon it required not to ask themselves in what part of the world they were. The road, which, though sandy, was smooth, neat, and well tended, came down the slope of a long hill, exposing its course to the eye for near a mile. There was a gentle rise on each side covered with wood; but this rise, and its forest burden, did not advance within a hundred yards of the road on either hand, leaving between—except where it was interrupted by some old sand-pits—a space of open ground, covered with short green turf, with here and there an ancient oak standing forward before the other trees, and spreading its branches to the way-side. To the right, was a little rivulet gurgling along the deep bed it had worn for itself amongst the short grass, in its way towards a considerable river that flowed through the valley at about two miles distance; and on the left, the eye might range far amidst the tall separate trees—now, perhaps, lighting upon a stag at gaze, or a fallow-deer tripping away over the dewy ground as light and gracefully as a lady in a ball-room—till sight became lost in the green shade, and the dim wilderness of leaves and branches. Amidst the scattered oaks in advance of the wood, and nestled into the dry nooks of the sand-pits, appeared about half-a-dozen dirty

brown shreds of canvass, none of which appeared larger than a dinner napkin, yet which—spread over hoops, cross-sticks, and other contrivances—served as habitations to six or seven families of that wild and dingy race, whose existence and history is a phenomenon, not amongst the least strange of all the wonderful things that we pass by daily without investigation or enquiry. At the mouths of one or two of these little dwelling places, might be seen some gipsey women, with their peculiar straw bonnets, red cloaks, and silk handkerchiefs; some withered, shrunk, and witchlike, bore evident the traces of long years of wandering, exposure, and vicissitude; while others, with the warm rose of health and youth glowing through the golden brown of their skins, and their dark gem-like eyes flashing undimmed by sorrow or infirmity, gave the *beau idéal* of a beautiful nation long passed away from thrones and dignities, and left but as the fragments of a wreck dashed to atoms by the waves of the past. At one point, amidst white wood ashes, and many an unlawful feather from the plundered cock and violated turkey, sparkled a fire, and boiled a cauldron; and round about the ancient beldame who presided over the pot, were placed, in various easy attitudes, several of the male members of the tribe—mostly covered with long loose great-coats, which bespoke the owners either changed or shrunk. A number of half-naked brats, engaged in many a sport, filled up the scene, and promised a sturdy and increasing race of rogues and vagabonds for after years. Over the whole—wood, and road, and streamlet, and gipsey encampment—was pouring, in full stream, the purple light of evening, with the long shadows stretching across, and marking the distances all the way up the slope of the hill. Where an undulation of the ground, about half-way up the ascent, gave a wider space of light than ordinary, were seen, as we have before said, two strangers riding slowly down the road, whose appearance soon called the eyes of the gipsey fraternity upon their movements.”—*Gipsey*, vol. i.

Mr. James is eminently a religious writer; not that he unseasonably introduces the subject, or insists upon particular dogmas, but there is in his works that tone of feeling which convinces us that his opinions are *principles*, founded upon something superior to this world's morality; and the strain of elegant and reflective observation in which he indulges,—if it must be allowed to hang heavily sometimes upon the story in the shape of common-place truisms—yet often rises into poetical beauty of thought and expression. As might be expected in the productions of so gentle and liberal a mind, we seldom meet with intolerance—it does not appear even in his novel of *The Huguenots*, which afforded a tempting opportunity for the display of such a feeling. On the contrary, he has treated the persecution of the French Protestants (upon which the

story is founded) with fairness and moderation. He has forbore to charge this persecution upon the religion of Catholics;—fully admitting that it was attributable to political intrigues, and carried forward by unworthy agents—he has, in fact, said nothing of those atrocities in which Catholics would not fully concur with him. But, in his opinion, as to the character of those who resisted, he has fallen into a mistake, of such constant occurrence amongst Protestants, especially in all histories of the Vaudois, that we shall mention it here. He calls them *martyrs*. How truly such a name could be applied to them in the old Christian sense of the word, we quote the author himself to show: he makes a clergyman thus speak:—

“ ‘ I have counselled submission where I might have stirred up war. I have advised mild means and supplications, when the time for successful resistance was pointed out, both by just cause for bitter indignation and by the embarrassment of our enemies in consequence of their over ambition. And now I tell thee, Albert—I tell thee with pain and apprehension—that I doubt, that I much doubt, whether in so doing I have acted right or wrong; whether by such timid counsels the happy moment has not been suffered to slip; whether our enemies, more wise in their generation than we are, have not taken advantage of our forbearance, have not waited till they themselves were in every way prepared, and are now ready to execute the iniquitous designs which have only been suspended in consequence of ambitious efforts in other quarters.—‘ I fear indeed that it is so,’ replied the young Count; ‘ but, nevertheless, neither you nor any other person has cause to reproach himself for such conduct. Forbearance, even if taken advantage of by insidious enemies, must always be satisfactory to one’s own heart.’—‘ I know not—I know not,’ replied the old man. ‘ In my early days, Albert, these hands have grasped the sword in defence of my religion; and we were then taught that resistance to the will of those bigots and tyrants, who would crush out the last spark of the pure worship of God, and substitute in its place the gross idolatry which disfigures this land, was *a duty to the Author of our faith*. We were taught that resistance was not optional, but compulsory; and that to our children, and to our brethren, and to our ancestors, we owed the same determined, persevering, uncompromising efforts that were required from us by the service of the Lord likewise. We were taught that we should never surrender, that we should never hesitate, that we should never compromise, till the liberty of the true reformed Church of France was established upon a sure and permanent basis, or the last drop of blood in the veins of her saints was poured out into the cup of martyrdom. Such were the doctrines under which I myself became a humble soldier of the cross.’ ”—*The Huguenots*, vol. i.

A soldier, doubtless, but not under such doctrines a soldier

of *the cross*; and that these doctrines were held, and were acted upon, we know to be a fact. Let us not be misunderstood: when men as citizens seek to recover the civil rights that have been wrested from them—and freedom of religious opinions is a civil right—we sympathize with their indignant feelings, and wish success to their just cause. If the struggle is carried on by justifiable means—that is, by such means as the constitution of the country allows, and has provided against such emergencies—and every defined constitution would be found to contain some such safeguard against oppression—we then applaud the forbearance as well as the courage of the champions of freedom. Even if in such a cause, and, when stung by oppression, men should overstep these limits, and be driven to the desperate step of taking up arms for their defence, as did the French Huguenots and the Vaudois, the inevitable consequence of which is civil war—even then we would be slow to judge them harshly, blaming their oppressors, and pitying the trials to which human infirmity had been subjected—we could even forgive them their sin against society. But shall we canonize them for it? Shall we call them saints and martyrs? If so, what were the primitive Christians? They levied no armies—made no contentions, though the means for doing so were not wanting—but, unresisting, sealed their testimony with their blood, and left that glorious type of martyrdom, which so many in all ages of the Church have copied, even to this day.

We will not conclude this notice without mentioning *Charles Tyrrell*, Mr. James's last novel, and, we are inclined to think, his best. From some observations in the commencement, we believe the story to be founded on fact; and certainly there is an air of truth about it which greatly rivets the attention. The career of a man whose whole life is blighted by his own evil passions, is portrayed with great power. The son inheriting these evil passions, struggles against them with such sincerity and success, that he becomes far more interesting than the usual faultless novel hero. The father meets death from the hand of his own intimate friend, whom he has insulted; and the way in which the son becomes involved in a suspicion of the guilt, his flight, the character of the cynic friend, the whole catastrophe, in short, form an admirably told and highly interesting story, improved, we think, by being written in a simpler and more nervous style than is usual with this author.

It is now our pleasant task to do justice to one of our earliest favourites,—one whose charming works were the delight

of our childhood, and cannot be read, even by maturer judgment, without admiration, possessing as they do every requisite for the object they were intended to accomplish—to instruct, to amuse, and to draw out, without injuring, the tender powers of the childish mind. Miss Edgeworth's *Helen* is worthy of her reputation, and we can scarcely give it higher praise. All her works have a decided moral tendency; and in this, her object has been to expose the meanness, the degradation, and all the miseries ensuing upon moral cowardice. This failing, forming the root of so many others, Miss Edgeworth has been always most anxious to hold up to reprobation; she has introduced it into most of her earlier works, and has shown much ingenuity and knowledge of the human heart in the means she has used to make it an object of fear as well as scorn to the childish mind, and to bring forward every *human* motive for the practice of the contrary virtue. Following the same plan, she has chosen for her heroine a sprightly, elegant, warm-hearted creature, in whose hour-glass, as she says herself, "all the sands are diamond sparks;" but in whose heart her mother sees "the one black spot" which will spread till all the goodness of her nature, all the brightness of her fortunes, are blighted by it. Miss Edgeworth has a most intimate knowledge of her sex, and she has shown it in making Cecilia's moral cowardice arise from no false pride—no love of wealth, station, or fame—but from her affections,—the source of all a woman's strength, and all her weakness. Her husband, before marriage, has required to know whether or not she had ever loved another; entertaining a fear that marriages were not happy where such had been the case. Fearing to lose him—conscious that she had never felt love in its true sense, except for him—she conceals from him a very decided flirtation she has carried on—instigated partly by coquetry, and partly by a real liking for him—with a certain Colonel D'Aubigny; and she marries General Clarendon, the object of her heart's warmest devotion. Months pass away: Cecilia, the brightest and happiest of her sex, gives but faint indications of the defect inherent in her nature. She welcomes to her home, with generous affection, the friend of her youth, Helen, in whose gentle, timid, retiring character, lies dormant all the "truth" that is wanting in her friend. The commencement of the story is so uneventful—employed so much in preparing the way for her plot, and making the characters known, that it would have been wearisome in other hands than Miss Edgeworth's. She has diversified it with pleasing though

trivial incidents, sprightly *badinage*, and much real knowledge of the world and of human nature; yet, even in spite of this, we grow tired occasionally of the desire to make her personages be always teaching or always learning; a little touch, in short, of the pedantry of the instructress. But these minor defects disappear when the business of the plot commences. By the malice of a disgraced servant, Cecilia's imprudent, almost forgotten, letters to Colonel D'Aubigny, are recovered, and sent under cover to her husband. Aware of what the packet contains, she dares not meet detection; and, availing herself of a resemblance in their hand-writing, and of other accidental circumstances, she prevails with Helen to allow the letters—written under a feigned name, playfully adopted—to be considered by the General as hers. Lady Cecilia must plead her own excuse in her own words; they beautifully describe the awe which the stronger nature impresses upon the weaker, and the deep tenderness which makes the fear of giving pain predominant over every selfish sensation, even at such a trying moment.

"What has happened? Tell me clearly, my dear Cecilia, and quickly, for I must go to General Clarendon; he has desired to see me as soon as I can, after seeing you."

"I know, I know," said Cecilia; "but he will allow time, and you had better be some time with me, for he thinks I have all to explain to you this morning; and so I have a great deal to say to you. Sit down quietly. Oh, if you knew how I have been agitated! I am hardly able yet to tell anything rightly." She threw herself back on the pillows, and drew a long breath, as if to relieve the oppression of mind and body. "Now I think I can tell you."

"Then do, my dear Cecilia—all—pray do; and exactly. Oh, Cecilia, tell me all."

"Every word, every look, to the utmost, as far as I can recollect, as if you had been present. Give me your hand, Helen. How cool you are—delightful! But how you tremble!"

"Never mind," said Helen; "but how burning hot your hand is!"

"No matter. If ever I am well or happy again in this world, Helen, I shall owe it to you. After I left you, I found the General fast asleep. I do not believe he had ever awoken. I lay awake for hours; till past five in the morning I was wide awake—feverish. But, can you conceive it? just then, when I was most anxious to be awake, when I knew there was but one hour—not so much—till he would awake and read that packet, I felt an irresistible sleepiness come over me: I turned and turned, and tried to keep my eyes open, and pulled and pinched my fingers; but all would not do, and I fell asleep, dreaming that I was awake: and how long I slept I cannot tell you, so deep, so dead asleep I must have been. But the

instant I did awake, I started up, and drew back the curtain, and I saw—Oh, Helen ! there was Clarendon, dressed, standing with his arms folded, a letter open, hanging upon his hand ; his eyes were fixed upon me, waiting, watching for my first look. He saw me glance at the letter in his hand, and then at the packet on the table, near the bed. For an instant neither of us spoke. I could not move—nor exclaim, even ; but surprised, terrified, he must have seen I was. As I leaned forward, holding by the curtains, he pulled one of them suddenly back, threw open the shutters, and the full glare was upon my face. I shut my eyes,—I could not help it,—and shrank ; but gathering strength from absolute terror of his silence, I spoke. I asked, ‘ For Heaven’s sake, Clarendon, what is the matter ? Why do you look so ? ’ Oh, that look of his ! Still fixed on me ; the same as I once saw before we were married—once, and but once—when he came from my mother to me about this man. Well, I put my hands before my eyes ; he stepped forward, drew them down, and placed the open letter before me ; and then asked me, in a terrible sort of suppressed voice, ‘ Cecilia, whose writing is this ? ’ The writing was before my eyes, but I literally could not see it ; it was all a sort of maze. He saw I could not read it, and calmly bade me ‘ Take time,—examine : is it a forgery ? ’ A forgery ! That had never crossed my mind ; and for an instant I was tempted to say it was ; but quickly I saw that would not do : there was the miniature, and that could not be a forgery. ‘ No,’ I answered, ‘ I do not think it is a forgery.’—‘ What, then ? ’ said he, so hastily, that I could hardly hear ; and before I could think what to answer, he said, ‘ I must see Lady Davenant.’ He stepped towards the bell ; I threw myself upon his arm : ‘ Good Heavens ! do not, Clarendon, if you are not out of your senses.’—‘ I am not out of my senses, Cecilia ; I am perfectly calm : answer me one word only,—is this your writing ? ’ Oh ! my dear Helen, then it was that you saved me.”

“ I ? ”

“ Yes ; forgive me, Helen : I answered, ‘ There is a handwriting so like, that you can never tell it from mine. Ask me no more, Clarendon,’ I said. I saw a flash of light, as it were, come across his face : it was hope,—but still it was not certainty. I saw this. Oh, how quick one sees. He pointed to the first words of the letter, held his finger under them, and his hand trembled,—think of his hand trembling ! ‘ Read,’ he said ; and I read. How I brought myself to pronounce the words, I cannot imagine. I read what, as I hope for mercy, I had no recollection of ever having written,—‘ My dear, too dear Henry.’—‘ Colonel D’Aubigny ? ’ said the General. I answered, ‘ Yes.’ He looked astonished at my self-possession ; and so was I. For another instant his finger rested, pressing down there, under the words, and his eyes on my face, as if he would have read into my soul. ‘ Ask me no more,’ I repeated, scarcely able to speak ; and something I said, I believe, about honour, and not betraying you. He turned to the signature, and, putting

his hand down upon it, asked, 'What name is signed to this letter?' I answered, 'I have seen—I know—I believe it is 'Emma.'—'You knew, then, of this correspondence?' was his next question. I confessed I did. He said that was wrong, 'but quite a different affair' from having been engaged in it myself, or some such word. His countenance cleared; that pale look of the forehead, the fixed purpose of the eye, changed. Oh! I could see: I understood it all with half a glance—saw the natural colour coming back, and tenderness for me returning, yet some doubt lingering still. He stood, and I heard some half-finished sentences. He said that you must have been very young at that time; I said, 'Yes, very young.'—'And the man was a most artful man,' he observed. I said, 'Yes, very artful.' That was true, I am sure. * * *

Then he asked me how I came to paint this picture for this man? I answered—Oh, how happy then it was for me that I could tell the whole truth about that, at least!—I answered, that I did not do the picture for Colonel D'Aubigny; that he stole it from my portfolio, and that we both did what we could to get it back again from him, but could not; and that you even wanted me to tell my mother, but of that I was afraid. And Clarendon said, 'You were wrong there, my dear Cecilia.' I was so touched when I heard him call me his dear Cecilia again, and in his own dear voice, that I burst into tears. That was a great relief to me; and I kept saying, over and over again, that I was wrong, very wrong, indeed! And then he knelt down beside me; and I so felt his tenderness, his confiding love for me—for me, unworthy as I am." The tears streamed from Lady Cecilia's eyes as she spoke. "Quite unworthy!"

"No, no; not quite unworthy," said Helen. "My poor, dear Cecilia, what you must have felt!"

"Once," continued Cecilia; "once, Helen, as my head was lying on his shoulder, my face hid, I felt so much love, so much remorse—and knowing I had done nothing really bad—I was tempted to whisper all in his ear. I felt I should be so much happier for ever—ever—if I could!"

"Oh, that you had! I would give anything upon earth, for your sake, that you had."

"Helen, I could not—I could not. It was too late. I should have been undone, if I had breathed but a word. When he even suspected the truth! that look, that voice, was so terrible. To see it—hear it again! I could not. Oh, Helen, it would have been utter ruin—madness!"—*Helen*, vol. ii.

As might be supposed, the involvement does not end here. The letters (which have been copied) appear in print,—they are attributed to Helen, whose reputation is attacked; her lover fights a duel in her defence, and is obliged to fly the kingdom. The General buys up the libellous work; but disgusted by what appears to be Helen's prevarications, he

refuses to sanction her marriage with his ward, and she leaves his house, in honourable banishment, to stay with his sister, who has warmly espoused her cause. The return, from a distant country, of Lady Davenant, Cecilia's clear-sighted mother, and Helen's steady friend, brings on the denouement: dying of a mortal disease, she demands to see her family united, and in their changed aspect and demeanour, recognizes the fulfilment of her own prophecy,—that the black spot had spread. Of the whole work, no part is more admirable than Lady Cecilia's confession,—the entanglement which gradually thickens around her—her increasing boldness and success in deception as her terrors wear off, and then the reaction of the mind—her scorn of herself—her growing coldness even for the objects of her dearest affection, conscious as she is, that they ought and will one day despise and hate her—until at length, worn out by remorse, anxiety, and despair, the mind throws off the unnatural weight that presses upon it, and recovers at once its freedom and its uprightness. There could not be a keener perception of these moral truths, nor could they have been more powerfully enforced; but to their effect upon the mind, there is wanting that one great requisite, which Miss Edgeworth's works have always wanted, and without which all systems of morality are like an arch without the key-stone,—a motive of sufficient power to control the passions, and which must, therefore, be superior to, and independent of, them. Let Miss Edgeworth look upon the conflict she has herself described, and ask herself, how she proposes to meet and overpower the influence of love and fear—the two strongest passions of our nature—in a person who not having moral courage by nature, would require something in its stead to give her strength. What is proposed to her? An abstract love of truth, which the heart would scarcely listen to at such moments, when falsehood seemed its only and ready refuge, and fear of ulterior evils, which must of necessity be overpowered by the present and more pressing terror; neither of these motives would be available to supply strength where it did not exist; and strength in such cases is wanting—not conviction. To supply this, aid must be called in foreign to the constitution of the mind itself,—the fear of God must cast out the fear of man,—the love of God must assist the trembling soul to bear the pain and the displeasure of the object of its earthly love, rather than give offence to its Creator. This Miss Edgeworth does not even indicate: it has ever been part of her system to avoid even referring to

religion; and the result is, that her works, like those of all merely moral writers, point out evils already, it is most likely, known and deeply deplored by those who suffer from them, without affording any assistance towards their cure. But if the utility of Miss Edgeworth's works is diminished by a deficiency on every account to be regretted, we are still bound to acknowledge, that her teaching, *as far as it goes*, is excellent, and the pleasure we derive from her works so great, that we should be glad more frequently to welcome them.

There are no works, perhaps, into which the mind of the author is more entirely transfused, than those of Lytton Bulwer. There may be nothing, perhaps, in the likenesses that have been attributed to himself personally, in individual characters, but the whole series of his novels bear so forcible and so unbroken an impress of his mind, as to give to his works a character of sameness, in spite of the variety of those stores of information and thought which he has lavished upon them. It appears to us, that the chief tendency of the works—one and all—is to assert the supremacy of intellect, not only over all the subjects submitted to it, but also over the passions and feelings of the mind. No religious theory—no settled principles—are allowed to interfere with this entire “self-development;” his characters, receiving imperfect or no educations, and launched early upon the world, take up by turns, and eagerly pursue, its prevailing follies or passions—moralize upon their consequences and effects—become satiated with them—cast them aside—like a worn-out plaything, to take up, in a like spirit, some new pursuit, of which in its turn they weary. Thus, the study of learning, the pursuit of wealth and station, the intrigues of politics, the most fantastical affectation of foppery and refined sensuality, and the love of travel, are brought by turns under the notice of the reader as a worthy object of excitement, to be afterwards let go, with a tacit acknowledgment of its deceitfulness: for hardly in any instance is the mind of the individual represented as enslaved by the passion, however thoroughly indulged in. It is the theory of Bulwer, to represent the mind of man as rather adopting than submitting to these enthrallments, able at any time to cast them off: an ennobling theory certainly,—but a most dangerous one, because so frequently and so fatally untrue. Having thus made his heroes to test, by their own experience, all the pursuits of life; like Solomon, they are made to declare, upon their own experience, “that all is vanity and vexation of spirit:” moody dejection, satirical

scepticism, or some one of the various aspects which disappointment assumes, are the result of this self-seeking, self-centred existence:—these also subside in time.

“ If I have borne much, and my spirit has worked out its earthly end in travail and in tears, yet I would not forego the lessons which my life has bequeathed me, even though they be deeply blended with sadness and regret. No! were I asked, what best dignifies the present, and consecrates the past; what enables us alone to draw a just moral from the tale of life; what sheds the purest light upon our reason; what gives the firmest strength to our religion; and whether our remaining years pass in seclusion or in action, is best fitted to soften the heart to man, and to elevate the soul to God, I would answer with Lassus, it is—EXPERIENCE.”—*Devereux*, vol. iii.

This we take to be the moral of his works; and the virtues produced by the teaching of experience, are exactly what might have been produced amongst enlightened pagans by the same monitress,—a sense of the insufficiency of life for happiness—willingness to enjoy present pleasures—passive acquiescence in the decrees of fate for the future—and that sort of indulgence for human nature which arises less from the power of forgiving than from scepticism of good. These are the characteristics (more or less modified) of the forcible portraiture which the author has given us of human intelligence, of the highest order, seeking, in its own resources, and from its own “experience,” a clue to the intricacies and contradictions of man’s life. In the writings of Lytton Bulwer we think that we find no despicable evidence of a fact often asserted, that Protestantism, considered as a national religion, does not exercise control or direction upon the intellect. Of the personal character of the author in question we know *nothing*, but his writings cannot certainly be considered as *immoral*; if sensuality and dissipation are introduced, it is but to show them, as in *Pelham*, shaken off at the first call for manly exertion; the principles of a gentlemanly and honourable man are universally inculcated; even-handed, even-judging justice is always done by him to the rights of all men; the sins of the rich are as keenly analysed, more bitterly condemned by him, than the vices of the tempted and the ignorant. If, as in *Paul Clifford*, he enlists our sympathies for those who lead a life of vice, he does it by showing us their struggles to escape from it; and if, as is certainly the case, he too frequently shocks us by allusions to light and licentious amours, he at least places them in proper contrast to love in its

most ennobling sense—faithful, lawful, and generous. Bulwer cannot, therefore, be considered as a writer who has any vicious or debasing system to advance; that he possesses great talent no one can deny—talent of that order which enables a man to appropriate and combine the wisdom of past ages; yet, amongst the stores of observation and thought which he has collected, how little has he derived from Christianity! which he probably knows only in its modern form; how little is his mind influenced by her precepts, or even by her wisdom; and, alas! of how many minds in the present day does he express the wants and the sentiments! With the exception of *Detereux*, in which a Jesuit is introduced in the distorted and unnatural character which has so captivated the imagination of modern writers, and pursues (what the author is pleased to call) *his religion* in his own way, we know of none of his works in which religion is introduced at all,—and this must not be considered as an omission (perhaps well-judged) of a subject too serious for the light pages of a novel. Bulwer's novels take, as we have said before, a high flight: they treat of society, morals, and the life of man; and in them, therefore, we strongly feel the omission of religion, as a theory, a system, a rule, an object. In neither of these characters do we find it recognized. Many pernicious opinions are expressed, still more that are excellent, but all are tested by some rule existing in the author's mind—none are referred to that of Christianity. Shall we be told that Bulwer is an irreligious man, to be considered as an exception? not so: he is the representative of a very large class of minds, and many of those of a high order, who would in former times have been retained in the bosom of the Church by a thousand tender ties, until maturing reason impelled them to take up her standard, and become her ablest advocates.

The views which our author has taken of society are striking and just: we are persuaded, that no one will deny their correctness who has considered, not the state of parties, or sections, or sects amongst us, but that of the nation at large,—the wide distinction between the different classes of society,—the continual restlessness, a want felt through the whole of a bond of brotherhood and peace;—all this is brought strongly home to us in these pages. And again, in his descriptions of the state of the poor and the outcast of society—descriptions which if less graphic than those of Dickens, are not less forcible—how are we impressed with the utter forlornness and desolation of their condition, a degree of hopeless degradation

never meant by Providence to aggravate all the other miseries of their state; how clearly do we see, that the remedy is gone that had been provided for them. The privilege of disputing concerning creeds, and sects, and preachers, is a luxury suited only to the well-off, and the well-educated: the poor man required the universal Church not to be mistaken, whose doors stood ever open,—the city set upon a hill, whose broad and steady light should be visible even from the lowest depths. When Paul Clifford makes his stern appeal against the laws that had first corrupted and then condemned him, and the heart shrinks beneath the feeling that those words would be true, that appeal just, in the mouths of thousands, we look in vain for the Church universal because *true*—powerful because universal,—which served as a counterpoise to those laws, of necessity severe and partial, which society institutes for self-defence.

But we must now consider these delightful works in a lighter point of view—merely as novels; and we think that the foregoing remarks will serve to elucidate the chief defects they can be accused of in that capacity. The instruction contained in a work of fiction should be of so light a character, as not to overload the frail vehicle in which it is conveyed. When we meet in a novel with chapter after chapter of reflections, metaphysical inquiries, and long dialogues unconnected with the subject, we believe there are few readers so philosophical as not to be inclined to skip them,—supposing always that the story has merit enough to inspire interest and attention: or, supposing these chapters to be too valuable to be so treated, they cause the book to drag heavily, and are felt to deteriorate from its *effect*, and consequently from its excellence; when considered as a work of the imagination, addressed to the imagination and the feelings; and such is truly the proper character of a novel; a character which it cannot depart from, without losing its proper place in literature, and becoming a nondescript production—a sort of diluted essay—one of a class of books at the head of which we may, perhaps, place Mrs. More's *Cælebs*, and which, generally eschewed, both by the grave and the gay, fall chiefly to the lot of a very mediocre set of readers, intellectually considered. This remark, however, must be considered as parenthetical—not in the remotest degree applying to Bulwer, whose strong sense, originality, and racy humour, must arouse the imagination of all who possess a spark of it. It is in these qualities that we consider Bulwer's chief excellence to consist; and perhaps they are

most strikingly developed in *Pelham*. In that delightful work there is an exuberance of wit and animal spirits that lights up all it touches : even the life of a man of fashion loses its insipidity. There is a touch of comic exaggeration in the foppery of the hero, that makes it as amusing as it is graceful; and so lightly is it borne, that we perceive no improbability, when the hero, plunging into a train of dangerous adventures, saves the life of his friend by his sagacity and courage. On the contrary, an air of coolness is thrown over them by his dandyism, which gives a zest to the character, and renders it very attractive—too much so, considering that Bulwer's heroes are never models for close imitation. *Paul Clifford* is a gallant highwayman of the old-fashioned class, whose adventures the author traces from his cradle to a very satisfactory and romantic conclusion. Here again, the hardihood and spirit of adventurous frolic, necessary to the character of such a hero, have caught the author's fancy, and he has done the subject justice. Plunging boldly amongst the lowest characters, and scenes of the lowest life, he rescues them from vulgarity by the sheer force of talent and wit ; he preserves not only our liking, but our respect for the hero, throughout his very unexemplary life, by his constant tendency and aspiration after virtue; and when, at the bar of justice, the judge recognizes in him his son, at the very moment when compelled to pass upon him sentence of death, and hears at that awful moment his unconscious son denounce *himself* as the man, who, years ago, by an unjust sentence and imprisonment, had degraded him to a life of vice,—we know no scene in fiction so strictly within the limits of probability, yet so startling and fearful, or told with more power and energy. In *Eugene Aram*, Bulwer has chosen an unpleasing subject, and a character so unnatural, as to exemplify the saying, that facts will sometimes surpass the wildest fiction in improbability ; yet he has treated it with admirable talent, and produced a work of great interest; and only not pathetic, because pathos is foreign to his style of writing, and, we should say, to his turn of mind. We do not admire *Derwent*. The story is improbable and gloomy. To reconcile us to it, it should have been carried on with an earnestness of passion suited to the nature of the events it describes ; but this it is not : on the contrary, it is broken up by long disquisitions upon the politics of the day, and multitudes of conversations, in which eminent characters make their appearance,—showing the undoubted talent and reading of the author, but without giving proportionate pleasure to the

reader. *Rienzi*, as its name intimates, is an historical romance, embracing events too vast, too numerous, and too complicated, to form the fit subject of a novel; either this, or the distance of scene and time, has deprived the author's genius of its usual vigour and individuality. There are some beautiful incidents—many gorgeous descriptions; but the characters have an exaggerated and melodramatic cast,—the contrasts are too constantly recurring, and too violent: it is, in short, a stately pageant. We have positive objections to the *Last Days of Pompeii*. The hateful and disgusting mysteries of heathenism are far too freely introduced; much is said concerning them, and more suggested, which render the book, in our opinion, improper for young persons. *Falkland*, we believe, is one of the first of the author's productions, and certainly it is the least worthy of attention,—a commonplace tale of guilt (the subject is adultery), in which the turgid style of the writing and the sentiments do not conceal the fact that the actors are more than commonly wicked and weak. We turn from it with pleasure to mention the *Disowned*,—a story enlivened by all the author's knowledge of the world and liveliness of fancy; but of which the groundwork is a picture of love and suffering and high-minded virtue,—beautiful in itself, and beautifully told: we do not think there is any one of Lytton Bulwer's works which is more charmingly written. It is full of elegant and tender passages; we could wish to extract some of them, but our space makes this impossible, and we turn to the longest, the most elaborate, and, upon the whole, the finest of Lytton Bulwer's works, which is the last; for *Ernest Maltravers* and *Alice* must be considered as forming one novel, so completely is the one a continuation and development of the other. It is true that we miss in it some of the vigour and force of Bulwer's usual language, and that the story moves on slowly, and somewhat heavily; but how many beauties compensate these defects! There is a variety in the characters which is not, in general, Bulwer's *forte*; the "exquisite Alice," the sparkling Evelyn, and the stately Florence, as different as they each are beautiful. Cæsarini Castruccio and Lumley Ferrers are admirable characters, well kept up from first to last; and in the account of the Montaignes, of the family of the wealthy churchman, of the husband of Alice, and of the venerable curate, there are a thousand true and beautiful touches. Then, too, what stores of *thought*, and of profound observation, are contained in the pages of this work; and occasionally what brilliant and masterly passages! One we

particularly remember, in which the often-revived question, as to the degree in which the increasing wealth and civilization of a nation increase the amount of human happiness amongst its inhabitants, is treated in the most luminous and forcible manner : it is, however, too long to be extracted. We prefer to give the most interesting scene in our favourite novel, *Alice*.

“ While Maltravers was yet agitated and excited by the disclosures of the curate, to whom, as a matter of course, he had divulged his own identity with the mysterious Butler, Aubrey, turning his eyes to the casement, saw the form of Lady Vargrave, slowly approaching towards the house.

“ ‘ Will you withdraw to the inner room,’ said he ; ‘ she is coming ; you are not yet prepared to meet her !—nay, would it be well ?’

“ ‘ Yes, yes, I am prepared ; we must be alone. I will await her here.’

“ ‘ But—’

“ ‘ Nay, I implore you.’

“ The curate, without another word, retired into the inner apartment, and Maltravers, sinking into a chair, breathlessly awaited the entrance of Lady Vargrave. He soon heard the light step without ; the door, which opened at once on the old-fashioned parlour, was gently unclosed, and Lady Vargrave was in the room ! In the position he had taken, only the outline of Ernest’s form was seen by Alice, and the daylight came dim through the cottage casement, and seeing some one seated in the curate’s accustomed chair, she could but believe that it was Aubrey himself.

“ ‘ Do not let me interrupt you,’ said that sweet low voice, whose music had been dumb for so many years to Maltravers, ‘ but I have a letter from France, from a stranger ; it alarms me so,—it is about Evelyn,’ and, as if to imply that she meditated a longer visit than usual, Lady Vargrave removed her bonnet, and placed it on the table.

“ Surprised that the curate had not answered,—had not come forward to welcome her, she then approached. Maltravers rose, and they stood before each other, face to face ! And how lovely still was Alice ! lovelier he thought even than of old ! And those eyes, divinely blue, so dove-like and soft, yet with some spiritual and unfathomable mystery in their clear depth, were once more fixed upon him. Alice seemed turned to stone : she moved not—she spoke not—she scarcely breathed ; she gazed spell-bound, as if her senses, as if life itself, had deserted her.

“ ‘ Alice !’ murmured Maltravers, ‘ Alice, we meet at last !’

“ His voice restored memory, consciousness, youth, at once to her ! She uttered a loud cry of unspeakable joy, of rapture ; she sprang forward—reserve, fear, time, change, all forgotten—she threw herself into his arms, she clasped him to her heart again and again ! The faithful dog that has found his master, expresses not his transport

more uncontrollably, more wildly. It was something fearful—the excess of her ecstasy! she kissed his hands—his clothes; she laughed, she wept; and at last, as words came, she laid her head on his breast, and said, passionately,—‘I have been true to thee!—I have been true to thee, or this hour would have killed me!’ Then, as if alarmed by his silence, she looked up into his face, and as his burning tears fell upon her cheek, she said again, and with more hurried vehemence,—‘I *have* been faithful—do you not believe it?’

“ ‘I do—I do, noble, unequalled Alice! Why—why were you so long lost to me? Why now does your love so shame my own?’

“ At these words, Alice appeared to awaken from her first oblivion of all that had chanced since they met; she blushed deeply, and drew herself gently and bashfully from his embrace. ‘Ah!’ she said, in altered and humbled accents, ‘you have loved another! perhaps you have no love left for me! Is it so? is it? No, no: those eyes—you love me—you love me still!’ And again she clung to him as if it were heaven to believe all things, and death to doubt. Then, after a pause, she drew him gently with both her hands towards the light, and gazed upon him fondly, proudly, as if to trace, line by line, and feature by feature, the countenance which had been to her sweet thoughts as the sunlight to the flowers. ‘Changed, changed,’ she muttered, ‘but still the same—still beautiful, still divine!’ She stopped: a sudden thought struck her. His garments were worn and soiled by travel; and that princely crest, fallen and dejected, no longer towered in proud defiance above the sons of men. ‘You are not rich,’ she exclaimed, eagerly—say you are not rich! I am rich enough for both; it is all yours—all yours. I did not betray you for it; there is no shame in it. Oh! we shall be so happy! Thou art come back to thy poor Alice. Thou knowest how she loved thee!’ There was in Alice’s manner, her wild joy, something so different from her ordinary self, that none who could have seen her—quiet, pensive, subdued—could have fancied her the same being. All that society and its woes had taught were gone; and Nature once more claimed her fairest child. The very years seemed to have fallen from her brow, and she looked scarcely older than when she had stood with him by the violet banks, far away. Suddenly her colour faded; the smile passed from the dimpled lips; a sad and solemn aspect succeeded to that expression of passionate joy. ‘Come,’ she said, in a whisper—‘come, follow;’—and, still clasping his hand, she drew him to the door. Silent and wondering he followed her across the lawn, through the moss-grown gate, and into the lonely burial ground. She moved on with a noiseless and gliding step—so pale, so hushed, so breathless, that even in the noonday you might have half fancied the fair shape was not owned by earth. She paused where the yew-tree cast its gloomy shadow; and the small and tombless mound, separated from the rest, was before them. She pointed to it, and falling on her knees beside it, murmured ‘Hush!—it sleeps below—thy child.’

She covered her face with both her hands, and her form shook convulsively."—*Alice*, vol. iii.

This can scarcely be called a specimen of style, for Lytton Bulwer's is as versatile as the subjects he treats upon, but it is a specimen of his best, because most feeling, manner, and it is the chief point of interest—the development of a noble work, written in a gentler and purer spirit than most of its predecessors, and which we hope will be succeeded by many still more unexceptionable.

ART. X.—1. *A Bill to secure the Liberty of the Press.* Ordered by the House of Commons to be printed, 2nd March, 1837.

2. *Further Correspondence relative to the Reports of the Commissioners appointed to inquire into the Affairs of the Island of Malta.* Ordered by the House of Commons to be printed, 22nd April, 1839.

THE first attempt at a codification of the English law of libel by the Maltese Commissioners, one of whom (Mr. John Austin) had in London greatly distinguished himself for his valuable lectures on jurisprudence, and the recent example made of the wild boar of the forest, which was singled out for attack, and which was pursued to conviction for a gross libel on Sir John Conroy, have directed anew the attention of the public to the disgraceful state of the libel law in this country. Attempts have been made, from time to time, to improve it, but they have as constantly failed; and public opinion, which sets entirely in one direction, if it be aroused, is only strongly expressed in fitful starts, when any particular case of oppression or hardship is fresh in the people's memory, and the excitement over it soon falls back into its wonted lethargy. The present, then, may be a favourable opportunity for taking a rapid view of the state of this question, and of bringing before our readers the extreme harshness of the existing law, admitted to be as bad as possible.

"Give me the liberty to know, to utter, and to argue freely, according to conscience, above all other liberties," was the expression of the immortal Milton. "The liberty of the press is like the air we breathe—if we have it not we die," was once the motto of an English reformer. "Let it," says Junius, "be impressed upon your minds, let it be instilled into your children, that the liberty of the press is the Palladium of all

the civil, religious, and political rights of Englishmen." And every writer on constitutional law, and every judge, however much his decisions may have tended to fetter this right of free discussion by means of the press, have proclaimed an intense respect for this liberty. Yet, as has been well remarked by the reverend author of *Peter Plymley's Letters*, in his review of *Bentham's Book of Fallacies*, when speaking of eulogistic fallacies,—“A vast concern is expressed for the liberty of the press, and the utmost abhorrence for its licentiousness: but then, by the licentiousness of the press is meant every disclosure by which any abuse is brought to light and exposed to shame—by the liberty of the press is meant only publication from which no such inconvenience is to be apprehended, and the fallacy consists in employing the sham approbation of liberty as a mask for the real opposition to all free discussion. To write a pamphlet so ill that nobody will read it, to animate a convert in terms so weak and insipid upon great evils that no disgust is excited at the vice, and no apprehension in the evildoer, is a fair use of the liberty of the press. The licentiousness of the press consists in doing the thing boldly and well, in striking terror into the guilty, and in rousing the attention of the public to the defence of their highest interests. That is the licentiousness of the press held in the greatest horror by timid and corrupt men, and punished by semi-animous, semi-cadaverous judges.”

One of the most popular writers on the English constitution, De Lolme, has testified his surprise that there is no definite rule laid down on the subject of libel, or as to the bounds of political discussion. The law of treason, which has reference to the physical subversion of government, because of supposed abuses, has been for centuries accurately defined; but the law of libel, which relates to the correction of undoubted abuses by moral strength, by the power of argument, and by the action of mind upon mind, has been, and still is, subject only to vague generalities. It is no part of the *lex scripta*, it rests entirely on the *lex non scripta*; it is not enrolled in place among the statutes of the realm—it consists exclusively of mere general expressions, inserted in the works of individual lawyers.

A libel is defined by Hawkins, in his *Pleas of the Crown*, to be “a malicious defamation, expressed either in printing, writing, or by signs, pictures, &c., tending either to blacken the memory of one who is dead, or the reputation of one who is alive, and thereby exposing him to public hatred, ex-

tempt, and ridicule." Chief Baron Comyn, in his *Digest*, declares it to be "a contumely or reproach published to the defamation of the government, of a magistrate, or of a private person." But Lord Ellenborough, in the case of *Rex v. Cobbett*, on the 24th May, 1804, expressly said that it was "no new doctrine that if a publication be calculated to alienate the affections of the people by bringing the government into disesteem, whether the expressions be ridicule or obloquy, the person so conducting himself is exposed to the infliction of the law—it is a crime." Amidst this vagueness is to be discovered the elements of a libel. A libel, therefore, may be more aptly styled, any thing in writing or print that any body may take any offence at, if he can procure any twelve men to think with him that it has lessened him in the esteem of the public, or exposed him to ridicule. Blackstone tells us that "every person has an undoubted right to lay what sentiments he pleases before the public: to forbid this is to destroy the liberty of the press. But if he publishes what is improper, mischievous, or illegal, he must take the consequences of his own temerity." There is, as we have seen, no definition of what is illegal; and how is it to be determined that the writing is improper or mischievous? From this difficulty of defining, under the present state of the law, what is and what is not a libel, it is utterly impossible for a public writer to tell whether he has overstepped that narrow bound which divides the libel from the harmless discussion. And since all opinions to be expressed effectually must be stated firmly, a public writer is in constant danger. It is certainly not owing to the press itself that no plausible grounds for prosecution have not been of late years afforded. There is scarcely a day during which the Attorney-General may not, relying on pliant juries, file his *ex-officio* information. There is almost daily opportunity given to him to exercise his oppressive powers. And is this a state of things which ought to continue?

When the art of printing was first introduced into this country in the latter part of the fifteenth century, its liberty was held most sacred. But it had not been fully established, when the executive laid its hands upon it as an engine of state, and employed it to inculcate the doctrine of "the many being made for the few." The political importance of the art, especially in the great question of the Reformation, induced

* The best argument is to be found in the judgment of Lord Ellenborough, who certainly cannot be accused of any leaning towards liberality, in the case *Rex v. Perry*.

Henry to assume over it an absolute control; partly by the general prerogative of the crown, and partly by virtue of the king's ecclesiastical supremacy. Exclusive privileges were granted for printing the Bible and religious books, and ultimately of all others. The authority of the Court of Star Chamber was called in aid:—"The first object of the Star Chamber seems," says Sir James Mackintosh, "to have been the suppression of the unlawful combinations, which endangered the public quiet, or disturbed the ordinary dispensation of the law;—no words in the statute expressly comprehend libels or other political misdemeanours, in which the court became deservedly odious." That vigilant tribunal, however, assumed the power: the privilege of keeping presses was limited to the members of the stationers' company, who were bound by the regulations of the chamber, for the controvention of which they incurred speedy chastisement. These regulations limited the number of presses, and of the men who should be employed on them, and subjected all new publications to the inspection of a licenser. The Star Chamber ultimately took upon itself the most arbitrary power of punishing libels, and history abounds with instances of the severity of the court against those who presumed to write on political subjects. It decided all matters by its own authority, and without the intervention of a jury, and "was ever ready to find those persons guilty whom the court was pleased to look upon as such." In Lord Bacon's time, and previously, libellers, in addition to other punishments, were liable to the rack. The celebrated Prynne was brought to the Star Chamber for writing and publishing, and Wm. Buckner, chaplain to the Archbishop Abbot, for licensing, the "*Histrio-Matrix, or a Scourge for Players*," which was supposed to reflect on the queen, who had taken part in a pastoral at Somerset House, though the book was published six weeks before the queen's acting. The book was ordered to be burnt by the common hangman, and Mr. Prynne was sentenced to be put from the bar, to be put out of the society of Lincoln's Inn, to be degraded at Oxford, to stand in the pillory at Westminster and Cheapside, to lose both his ears, one in each place, and with a paper on his head, declaring, "It is for an infamous libel against both their majesties, state, and government;" then to be fined three thousand pounds, and lastly, to suffer perpetual imprisonment. The licenser was fined fifty pounds, and the printer five hundred pounds, and sentenced to the pillory. Not only were the writers of liberal opinions subject to these humiliating

sentences, they were likewise in danger of the scaffold; and the power of the court was carried so far as to seize Peacham's sermon, which had never been preached, nor intended to be preached, from his study. He was indicted for treason: for divers treasonable passages in this sermon, he was, on the 19th January, 1614, examined upon interrogatories, "before torture, in torture, between torture, and after torture;" the record of the examination bearing the signatures of eight persons, including that of Fr. Bacon: he was tried, and found guilty; and he only escaped execution by dying in prison. In July, 1637, a decree was issued declaring that no person should print any book or pamphlet, unless it had been first licensed by the Archbishop of Canterbury, or the Bishop of London, upon pain of the most severe punishment, and so cruelly was this decree enforced, that Milman, for a trifling libel, was whipped through the streets, put into the pillory, taken back to the Fleet, put in irons, and fined five hundred pounds. In short, so bad did the tribunal of the Star Chamber become, (in spite of the eulogium pronounced upon it by Lord Coke, that "the right institution and orders thereof being observed, it doth keep all England quiet;") that, to use the words of Lord Clarendon, "its judgments hung like meteors over the heads of the people."

Besides the Star Chamber there existed also the Court of High Commission, which took upon itself the power of punishing writers against the established church; and the hierarchy of this church actually thought it necessary to punish the grave and learned Selden for his work on the *History of Tithes*!

When the Star Chamber was abolished in 16 Charles I, and one of the most oppressive of governments was annihilated by a tremendous reaction, it is not strange that Milton should express in strong terms the glory he felt at the establishment of a free press, comparing the emancipated nation to an eagle, in these emphatic terms:

"Methinks I see a noble and puissant nation rousing herself like a strong man after sleep, and shaking her invincible locks. Methinks I see her as an eagle muing her mighty youth, and kindling her undazzled eyes at the fountain itself of heavenly radiance; while the whole noise of timorous and flocking birds, with those also that love the twilight, flutter about, amazed at what she means, and in their envious gabble would prognosticate a year of sects and schisms."

But Milton was not only doomed to see a licenser again

appointed, but his own epic suppressed, when nearly completed, by this same authority, which discovered treason in the beautiful simile of the sun, in the first book of "*Paradise Lost*:"—

"As when the sun new-ris'n
Looks through the horizontal misty air
Shorn of his beams; or from behind the moon,
In dim eclipse, disasterous twilight sheds
On half the nations, and with fear of change
Perplexes monarchs."

The Long Parliament revived the regulations against the freedom of the press; and, subsequently, by the 13th and 14th Charles II, c. 43, it was enacted, that for a certain number of years all books on law, history, and state affairs, should be licensed. James the Second obtained a further renewal; but the office of censor was so repugnant to the principles of the revolution of 1688, that it was found impossible to keep it on foot: and, at length, in 1694, in consequence of the parliament's refusal to prolong the prohibitions, the freedom of the press was finally established, and the censorship on books was abolished, never to be revived in England.

There is, however, another censorship, which still exists—the censorship of the drama. A bill to give to the Lord Chamberlain the power of licensing all dramatic pieces, was introduced into parliament on the 20th of May, 1737, and was passed into an act. By this act, which is the 10th Geo. II, a copy of every new play, or new dramatic piece, intended to be represented, is to be sent to the Lord Chamberlain fourteen days at least before the day of representation. The principal duties of the Lord Chamberlain, in licensing these plays, is virtually performed by a person appointed by him as "examiner of plays." This office, once held by Addison, has been lately filled by Mr. George Colman the younger, and is now enjoyed by Mr. Charles Kemble. The duty of the examiner is "to take care that nothing is introduced into the plays that is profane or indecent, or morally or politically improper for the stage." Having looked over the MS., the examiner reports to the Lord Chamberlain, who either signs or declines to sign the license for the performance of the play. The examiner charges a fee of two guineas for examining every new piece licensed; and he has also a nominal salary of 400*l.* a year, reduced, however, by taxes, &c. to a net amount of 274*l.* 8*s.* There are the most grave objections to the existence of such an arbitrary power in any individual; and especially in one so

irresponsible as the Lord Chamberlain; but the objections were so admirably stated by Lord Chesterfield, in his memorable speech against the bill, conferring the power, that a few extracts will sufficiently point them out:—

“ Every unnecessary restraint upon licentiousness is a fetter upon the legs, is a shackle upon the hands of liberty. One of the greatest blessings we enjoy, one of the greatest blessings a people, my lords, can enjoy, is liberty: but every good in this life has an alloy of evil: licentiousness is the alloy of liberty; it is an ebullition, an excrescence; it is a speck upon the eye of the political body, which I never can touch but with a gentle, with a trembling hand, lest I injure the eye upon which it is apt to appear. If the stage becomes at any time licentious, if a play appears to be a libel upon the government, or upon any particular man, the King’s courts are open, the law is sufficient for punishing the offender: and in this case the person injured has a singular advantage; he can be under no difficulty to prove who is the publisher; the players themselves are the publishers, and there can be no want of evidence to convict them.” And he then proceeded to observe that, “ in public as well as in private life, the only way to prevent being ridiculed or censured is to prevent all ridiculous or wicked measures, and to preserve such only as are virtuous and worthy. The people never ridicule those they love and esteem, nor will they suffer them to be ridiculed. If any man, therefore, thinks he has been censured, if any man thinks he has been ridiculed, in any of our public theatres, let him examine his actions,—he will find the cause; let him alter his conduct, he will find the remedy. It is not licentiousness, it is an useful liberty always indulged by the stage in a free country, that some great men may there meet with a just reproof, which none of their friends will be free enough, or rather faithful enough, to give them. (Of this we have a famous instance in Roman history. The great Pompey, after the many victories he had obtained, and the great conquests he had made, had certainly a good title to the esteem of the people of Rome: yet that great man, by some error in his conduct, became an object of general dislike, and, therefore, in the representation of an old play, when Diphilus, the actor, came to repeat these words: ‘ *Nostra miseria tu es Magnus,*’ the audience immediately applied them to Pompey, who at that time was as well-known by the name of Magnus, as by the name of Pompey, and were so highly pleased with the satire, that, as Cicero says, they made the actor repeat the words a

hundred times over. An account of this was immediately sent to Pompey, who, instead of resenting it as an injury, was so wise as to take it for a just reproof; he examined his conduct, he altered his measures, he regained by degrees the esteem of the people, and then he neither feared the wit nor felt the satire of the stage. * * * Nay, even though the people should not apply, those who are conscious of guilt, those who are conscious of the wickedness or weakness of their conduct, will take to themselves what the author never designed. We have an instance of this in the case of the famous comedian of the last age, a comedian who was not only a good poet, but an honest man, and a quiet and good subject: the famous Molière, when he wrote his *Tartuffe*, which is certainly an excellent and good moral comedy, did not design to satirize any great man of that age, yet a great man in France at that time, took it to himself, and fancied that the author had taken him as a model for one of the principal, and one of the worst characters in that comedy; by good luck he was not the licenser, otherwise the kingdom of France had never had the pleasure and happiness of seeing that play acted; but when the players first proposed to act it at Paris, he had interest enough to get it forbid. Molière, who knew himself innocent of what was laid to his charge, complained to his patron, the Prince of Conti, that as his play was designed only to expose hypocrisy and a false pretence to religion, it was very hard it should be forbid being acted, when, at the same time, they were suffered to expose religion itself every night publicly upon the Italian stage; to which the Prince wittily answered: 'It is true, Molière, Harlequin ridicules heaven, and exposes religion, but you have done much worse, you have ridiculed the first minister of religion.' " The noble lord then detailed his great objections to the bill, that it was an arrow that did but glance upon the stage, and pointed to something else—the liberty of the press; for though by the bill they prevented a play from being acted, they did not prevent its being printed; that if poets and players were restrained, they should be restrained as other subjects were, by the known and precise laws of their country, and not at the caprice of the Lord Chamberlain; that so far from preventing the stage from being political, it would become a political stage ex-parte, and that the powers would greatly and unnecessarily harrass men of wit; and he thus eloquently concluded: 'Let us consider, my Lords, that arbitrary power has seldom or never been introduced into any country at once—it must be introduced by slow degrees, and,

as it were, step by step, lest the people should perceive its approach. The barriers and fences of the people's liberties must be plucked up one by one, and some plausible pretences must be found for removing, or hood-winking, one after another, those sentries, which are posted by the constitution of a free country, for warning the people of their danger. When these preparatory steps are once made, the people may then, indeed, with regret, see slavery and arbitrary power making long strides over their land, but it will then be too late to think of preventing or avoiding the impending ruin. The stage, my lords, and the press, are two of our out-sentries; if we remove them—if we hood-wink them—if we throw them in fetters, the enemy may surprise us. Therefore, I must look upon the bill before us as a step, and a most necessary step too for introducing arbitrary power into this kingdom: it is a step so necessary, that if ever any future ambitious king, or guilty minister, should form to himself so wicked a design, he will have reason to thank us for having done so much of the work to his hand; but such thanks, or thanks from such a man, I am convinced that every one of your lordships would blush to receive and scorn to deserve."

The fears entertained by Lord Chesterfield as to the next step, which would be taken in consequence of this precedent to fetter the press, (fears well-entertained by a lover of liberty a hundred years ago, when the events preceding the revolution of 1688 were fresh in men's memories), have been happily rendered groundless by the continued increase of intelligence and constitutional feeling, in the great body of the people; but that some of his apprehensions as to the vexation and capriciousness, with which the power thus granted to the Lord Chamberlain would be executed, have been but too fully realised, will appear by a slight reference to the evidence of the late licenser, Mr. George Colman, given before the Committee on Dramatic Literature, which sat in 1832. Among other curious questions and answers are the following:—

"The committee have heard of your cutting out of a play the epithet 'angel,' as applied to a woman.—Yes: because it is a woman, I grant, but it is a celestial woman. It is an allusion to the scriptural angels, which are celestial bodies. Every man who has read his Bible, understands what they are, and if he has not, I will refer him to Milton.

"Milton's angels are not ladies.—No: but some scriptural angels are ladies, I believe. If you look at Johnson's dictionary, he will tell you they are celestial persons commanded by God to interfere in terrestrial business."

We are no advocates for scriptural allusions, or for the employment of oaths on the stage; but this fastidious examiner was the author of the comedy of *John Bull*, in which one of the characters has no more idea of something "than Eve had of pin money," and in which small oaths are frequently and most unnecessarily used. When the committee asked him:—

"How do you reconcile the opinion you have just given with your making use of those terms, or any of those small oaths, which you say are immoral and improper, to say nothing of their vulgarity, in some of your own compositions, which have met with great success on the stage?" The morality of the examiner thus accounted for the discrepancy: "If I had been the examiner, I should have scratched them out, and would do so now; I was in a different position at that time; I was a careless immoral author, I am now the examiner of plays; I did my business as an author at that time, and I do my business as an examiner now."

Such, then, is the theory of the licensership; such is the practice under it. And when we remember, that any play to which the examiner may refuse a license may be printed with impunity, and that there is nothing to prevent the actors from delivering every syllable of the expressions, which in a licensed play the examiner may have struck out, we may well ask whether this is so valuable a control over abuse and licentiousness, that its great utility can justify so wide a departure from the clear principle of the English constitution, and from public liberty?

The royal prerogative of granting patents for the exclusive printing of books, is now confined to the printing of the authorised version of the Bible, of the Book of Common Prayer, and of the Statutes; and under express provisions of later acts of parliament all printing presses must be registered.

Many of the decisions of the Star Chamber, all of which are collected in the 5th Lord Coke, under the title of *De Libellis Famosis*, are in force at the present day, and are wide enough to extinguish all free inquiry. They would inevitably tend to produce such a result, were it not that they cannot at the present time be enforced, in consequence of the good sense of juries. But this power of juries has oftentimes been in great danger of being subverted by the judges; for although the judges are, and have for years been, permanent, and not removable at the will of the crown, and so not immediately under its control, yet they are raised to the bench at the will of the Chancellor, selected by the crown at the instance of the

minister of the day, and a feeling of gratitude is, in many instances, exceedingly strong. The control of the Star Chamber was abolished, but a power was assumed by the judges which would have as effectually prevented discussion as the Star Chamber. Lord Mansfield boldly laid it down, that the judges were to direct the juries that the only questions for their consideration were the facts of the publication and the truth of the inuendos; that is, the meaning of the passages of the libel as stated in the record; and that, whether it was a libel or not was a question of law for the judges to determine. Their judgment must have been given on the mere fact whether the matter was legally libellous, and they could make no distinction between the case of a Sydney and a Hampden, or of the most bigoted or malicious enthusiast. The right of such dictation was mooted by Lord Erskine, in the case of *Rex v. Woodfall*, and in another case, in which he was strenuously opposed by Lord Camden; till at length the agitation of the question led to the passing of Mr. Fox's act, 32 Geo. III. c. 60, by which the power is expressly vested in the jury of saying whether the publication is or is not a libel. The hands of the judges are tied, and the juries are made the judges as well of the law as of the fact.

Following the Roman law, the English law makes a wide distinction between oral and written slander. Many matters, which may be entirely free from punishment when delivered orally, are liable to all the penalties of the law if committed to writing; and the distinction seems to be principally founded on the wider circulation of the latter class of slanders, and the supposed premeditation, which has caused them to be committed to paper. No action for slander will lie for mere words of raillery or ridicule, or for opprobrious terms, the usual expressions of heat. A man in a private capacity may be called a scoundrel, a rascal, or a fool, without having a remedy by action; it is only when he is verbally accused of a crime for which he may be subject to punishment, or of something that will exclude him from society, or which may injure him in his trade or business, that he can sue his detractor, unless he can prove that he has suffered particular loss by the use of the particular words. The rule with respect to verbal charges against magistrates and others, in the execution of their duty, is somewhat stricter; but still a man may, with impunity, call a magistrate "a beetle-headed justice," for that is an infirmity of nature which no act of the magistrate can prevent. One tithe of the same terms committed to paper becomes a false and scandalous libel.

Of written slanders, commonly designated libels, there are three classes—the religious, the political, and the personal. For all these classes there are remedies by three different methods of criminal proceeding, and for the last there is a remedy by civil proceeding, by an action for damages at the suit of the party injured; but as this latter course is confined to one class, and is liable to less abuse than some of the others, inasmuch as the defendant may plead a justification, and give the truth in evidence; and as the plaintiff, if he fails, must pay all the costs of the proceedings, we shall say little upon that remedy, save that the rule which allows full costs to follow the smallest damages, even one farthing, gives rise to frequent and most iniquitous oppression.

The criminal proceedings are all based on the fiction that every libel has a tendency to promote a breach of the peace. Consequently, the monstrous doctrine propounded by the Star Chamber, that truth is no bar to these proceedings, and cannot be received in evidence in any defence, has been maintained inviolate; for it is manifest that the truth of the accusation cannot make its publication tend less to the disturbance of the peace; the truth or falsehood of what has been published, therefore, is, in this light, a matter of indifference. This, in its turn, has given rise to the seemingly paradoxical dictum, that “the greater the truth the greater the libel.” Thus, as it has been well said by the editor of the *Morning Chronicle*, “To call the Duke of Wellington a coward would be no libel, because it is notoriously false; but to call that colonel a coward, who, at the battle of Waterloo, according to one of his Grace’s letters, withdrew in good time from the field, but could find no surgeon able to discover where he was wounded, would be a foul libel.”

The three methods of criminal proceeding are—

1. By *ex officio* informations filed on behalf of the crown by the Attorney-general, as he may file informations for any other misdemeanour; and this he does for libels on the sovereign, on the ministers of religion, the houses of parliament, or any other libels of a public nature, which that officer thinks proper to prosecute.

2. By criminal information filed by the Master of the Crown-office after an application made to the Court of Queen’s Bench, at the instance of any injured party, on affidavits stating the publication of the libel, and asserting distinctly the applicant’s innocence of the imputations cast upon him, unless the charge be in general terms. But the application must be

in good time, and the applicant must give up his right of action; and, in general, where there is reason shown, in answer to the application, that the act did not proceed from a mere malicious intention, the court will not interfere by granting the information. And,

8. By an indictment in the ordinary course before a grand jury.

To the two first methods, which equally supersede the office of the grand jury, the most serious objections exist, and the third remedy requires great and important amendments.

The legality of the Attorney-general's power to file *ex officio* informations has been often denied, but frequent use has established the right. The practice took its rise in the Star Chamber in the reign of Henry VII, and its authors are described by Lord Bacon as bold bad men, who were anxious to trample upon the liberties of the people. "*Ex officio* means," says Mr. Horne Tooke, "a power to dispense with all the forms and proceedings of the courts of justice, with all those wise precautions which our laws have taken to prevent the innocent from being opposed by exorbitant and unjust power." And prefixed to the report of his own trial is this most apt motto:—

———— "Nec bellua tetrior ulla est
Quam servi rabies in libera colla furentis."

There are many instances on record of the House of Commons directing the Attorney-general to file these informations; but the use, even by the House of Commons, of such an authority, can be no justification for its continuance. It gives to the silent and spontaneous act of one man all the powers and consequences of a solemn proceeding of a grand jury; and that man not really, although nominally, under the direct control of the crown. He is appointed by the minister of the day, he retires with the minister, and is in every sense of the term a political officer. He may file his information *ex mero motu*, there is no necessity for any accusation upon oath, and he may file it after any length of time, and against any person he may choose to select. He may proceed with the accusation as slow or as fast as he deems fit; he may allow the information to hang over the defendant's head; he may delay the trial indefinitely; he need never bring it to trial; he may, at any moment prior to trial, enter a *nolle prosequi*, and stop the whole proceeding, leaving the defendant to pay all the costs for his defence that he has in-

curred. If he go to trial, he may say whether he will have a special or common jury ; and even at the trial, after the jury has been sworn, he may, at his own will and pleasure, withdraw a juror, still leaving the defendant to pay all the costs of his defence. If he succeeds, he may, or he may not, at his mere option, have the defendant called up for judgment, and have him, after conviction, committed to any gaol he may select. If the defendant gains a verdict, as the crown pays no costs, an innocent man may be ruined by the money expended in his own defence. And, finally, the attorney-general "may go on harassing the subject with information upon information, if he pleases, and never bring him to trial." The power has been used, and may again be used, for the purposes of intimidation and influence. It is not enough to point to the practice of late years, and say that recent attornies-general have gone on the maxim only to prosecute where there is such grave cause as renders such a proceeding absolutely necessary, to shut their eyes where they can, and to administer with mercy the high, responsible and delicate functions of a public prosecutor. It is not sufficient that one who has filled this high office should declare that he had never had occasion to use this power, because he had determined not to institute any prosecution except in cases of a character so clear and decisive that no difference of opinion could have been entertained with respect to it by men of any character, any disposition, or any party. Other attornies-general may have widely different views. Times may come when it may be more necessary to discuss with great latitude the conduct of a ministry not indisposed to fetter free discussion. A power frightful for evil yet exists ; "bold bad men" may put it in force. The practice may differ on either side of the channel. It was but yesterday that the address of Ireland's great patriot was published in a London paper, with the plain avowal that he feared to address it to a paper within the control of the Orange faction in his own country. The custom of allowing pernicious laws to remain on the statute-book after they have fallen into disuse, to be revived and furbished up anew for pressing occasions, is one of the worst faults of the legislation of this country. Whatever is admitted by the general voice to be either vicious or useless, should be at once effaced from the statute-book.

Neither is the power vested in the Court of Queen's Bench to grant a criminal information, on the application of a party declaring, on affidavit, his innocence of the charge made against

him, less objectionable. With the *ex officio* information it equally supersedes the office of the grand jury, and under the plausible appearance of allowing the truth to be punished by other means, it virtually prevents a defendant from giving any reasonable ground for inferring the truth. The denial may rest on the unconfirmed oath of the party complaining; it is embodied in an affidavit, which may be so skilfully framed, as to render it impossible for the defendant to meet it. This mode of proceeding is obnoxious to all the complaints against written evidence; there are no means given to the defendant, by cross-examination, to place before the court the real value of the testimony: neither when the information is applied for, nor when the cause is tried, need the plaintiff present himself in person to the court or to the jury; and in opposing the application, the defendant has no power whatever to compel the persons, who may be conversant with the whole of the facts, to verify them by affidavit, or to attend to be examined to support the truth of the writing complained against. And there is the further disadvantage to the defendant by this mode of proceeding, it virtually abrogates the function of the jury, so carefully guarded by act of parliament, of being judges both of the law and of the fact. After the information is granted, the future proceedings may be little better than a farce till the sentence comes,—the judges have, upon the information, decided that the publication is a libel, and a libel of so gross a character, as to call upon the court for its summary interference. This fact appears at once to the jury,—the plaintiff's counsel does not fail to enlarge upon this predetermined point,—the judge admits it,—and in practice, the sole province of the jury upon the trial is to say, whether the defendant was or was not the publisher of the article prosecuted.

The defence of both methods of proceeding rests on the argument, that there are some libels which are so gross, and of so vicious a tendency, that a greater than the ordinary power is required to suppress them; and that in some instances, with the ordinary tribunal of a grand jury, it might be found difficult to procure a bill. We are no great friends to the general system of grand juries, but if they are useful for any purpose, the question of prosecutions for libel is precisely the question which they are fitted to determine. They can examine all the allegations, they can determine whether the publication proceeded against, is or is not a libel, according to their common understandings, of the tendency which is alleged. A libel is

innocuous unless clearly understood by the people both in its purport and its application; and as men of sound common sense, without technical legal niceties, the grand jury can best determine these two points. The very argument of the extremely vicious tendency of the libel tells against the present system; for it is precisely on those vicious libels, on which no mistake could be made, that the grand juries would be most unanimous in finding the bills. It may indeed happen that in some solitary instance, a public libel, which ought to be punished, would, from party feeling, escape; but it is manifestly better that one guilty person should go free, than that such a power should exist of oppressing the harmless, and of awing public writers into tacit obedience to the government. These frightful and arbitrary powers of the attorney-general ought to be abolished, and the power of criminal prosecution should be confined exclusively to indictments preferred before a grand jury; and such is the main object of Mr. O'Connell's bill.* In Malta the trial by jury has not as yet been introduced, and the ordinance abolishing the censorship, directs that all prosecutions shall be commenced by indictment filed by the public prosecutor, and tried before three of the judges of the criminal court. No private actions are permitted.

The ordinance also lays down in general terms, what is and what is not to be a libel in Malta, and thus supplies one of the great defects of the English system. Some of the explanations are absurd enough; the protection from libel of a person employed in administering the affairs of the island, and including among the number a "sentry at his post," is absolutely ludicrous; and the utter prohibition of ridicule may tend injuriously to fetter public discussion. The observations of Lord Chesterfield, which we have already quoted, are as applicable to political discussions as to the stage; but notwithstanding the captious raillery of Lord Brougham, the Maltese commissioners have achieved a great good by reducing the libel law to a written code. If it be too strict it can be easily relaxed; but the commissioners have taken a step never attempted in England, and the wonder is not so much that they have made some mistakes, as that they have succeeded so well. The introduction of a modification of their code into England, would supply one of the greatest deficiencies in British constitutional law.

All proceedings for libel, then, being commenced by indict-

* We take the bill as printed in 1837. Leave was this year (1839) again given to Mr. O'Connell to introduce a bill; it was, we believe, intended to make some alterations in the former bill, but the bill has never been printed.

ment, in what respect does the law require improvement? And here arises the first great question:—Ought the truth to be an answer to, or how far should it be received in evidence upon an indictment for libel?

By the English law the truth may be pleaded in justification, in any action for damages brought by the party aggrieved; and if the justification be proved, the defendant has a verdict. But in criminal proceedings, which are taken for the public outrage and crime, and which proceed on the fiction to which we have alluded, the truth is no answer; the law holds that it is equally dangerous to the public peace whether the libel be true or false; the distinction between the method of defence in the two modes of proceeding is indefensible. Whatever may be the theory of the law, the practice is far otherwise; prosecutions are not commenced because of the tendency to commit a breach of the peace, but because libels *per se* are considered injurious to the general well-being. The absurdity of the present system cannot be better illustrated than by saying that it allows the most infamous of characters to prevent all censure on his conduct, and enables every man, who knows that the truth can be proved, to avail himself of a legal subterfuge to prosecute any person who dares to show the world his real character. As an instance: an editor, now dead, was indicted for a libel in imputing a serious crime to a man, in a simple statement, that such a crime was committed, and that — was the well-known party. Of the truth of this there was no doubt, but the editor was tried and convicted, and sentenced to imprisonment. Whilst undergoing his punishment in the county gaol, he saw his own prosecutor taken from the same gaol, and executed for the very crime laid to his charge. Such are the uses to which the present law is put.

Chancellor Kent, in his Commentaries on the American law, says that in Massachusetts in 1827, a law was passed, allowing the truth to be given in evidence in all prosecutions for libel, but with a proviso that such evidence should not be a justification, unless it should be made satisfactorily to appear that the matter charged as libellous was published with good motives and for justifiable ends. The constitution of New York* makes the same provisions, and in many other states the same rule exists with respect to libels on public bodies, although not on individuals. This law has been found to work

* In Mr. Jas. Stuart's "Three Years in America," vol. i. p. 325, there is a curious report of a trial for libel under this law, in an action for a libel published in the "Jackson Republican."

most beneficially. The Maltese ordinance allows the free publication of a true imputation of specific malversation upon any person in a public capacity, and, like the English law, permits a true report of a judicial trial or inquiry, although the report may convey an imputation of misconduct on a person concerned in the proceeding. But the commissioners have not introduced the English right of action, and they give most inconclusive general reasons for not allowing the truth of imputations against private individuals to be given in evidence. They refer to the laws of Greece, of Rome, and of France, which are entirely beside the question; the principle has been admitted in one class of proceedings by the English law; it is too late to retrace that step, and the only question now is, whether this principle ought to be extended to all proceedings. The restriction may be necessary in Malta, which has not yet had a free press, in which no libel law has existed; and in which, many of the people, as we happen to know, have a great dread of the ill effects of the abolition of the censorship. The strong writings which pass harmlessly by in a country long used to free discussion, might be most injurious in a new state of freedom: the abuse of the Exeter Hall speakers on the religion and persons of the Catholics produces but little effect; the virulent charges against, and misrepresentations of, the theology of our church, contained in the pages of the *Times*, or the *Standard*, or the *Mail*, are comparatively innocuous; the sources from which they proceed are well known, and they pass harmlessly by; but if the same charges and the same misrepresentations were suffered to pass unnoticed among the Catholics of Malta, they might be productive of the most dangerous irritation. We admit, therefore, that there is a difference between the necessities of this country and Malta, but the reasoning of the commissioners against admitting the truth as a justification or palliation, is so general, that it would apply as well to this country as to Malta; and we are firmly convinced that the true principle for a free country is that laid down in Mr. O'Connell's bill, that the defendant may be allowed to prove the truth of his allegations of a matter of fact, in order the better to enable the jury to determine whether or not the same was published for the criminal purpose mentioned in the indictment; and that instead of presuming the malicious intent from the fact of a libel having been published, as is now the rule, it ought to be proved, in the case of every public libel, that it was published to aid or abet the commission of some crime, for which a person may be

indicted as accessory before the fact, although it ought not to be necessary to prove the commission of the crime itself.

In objection to permitting the truth to be given in evidence, it is alleged, that it would drive prosecutors from the courts, and render the proceeding by indictment a dead letter as to libels of truth, and that it would proclaim virtual impunity for the publication of every thing not false, however useless, or however defamatory. Mr. O'Connell, indeed, proposes that any proceeding for personal libel (to which alone the objection can apply, for it is obvious that with respect to public libels the public have a right to know the whole, and to have every fair argument and inference deduced from it), shall be prosecuted only by the person aggrieved, and he must either allege and prove the falsehood, or prove express malice, unless the libellous matter shall appear to the jury, from its own nature, or under the circumstances of the case, malicious. And this provision directly meets the objection to which we have referred, and would virtually place the law of England upon the same footing, with respect to personal libels, as the law of New York, from which no evil has been experienced. If a person libelled by the publication of truth, be so thin-skinned as to refuse to prosecute a publication of that truth when published for no other reason than malice, it is obviously preferable that the one case should escape unpunished than that all *bonâ fide* publications of the truth, by which the interests of the public would be served, should be prevented. Volunteer and gratuitous publication of facts would not take place; and if the truth were required by the public it ought to be given. There are numberless cases in which a knowledge of the truth, even as respects the conduct of individuals, is of the utmost importance. A recent instance is directly in point. It is of consequence that the public should know the internal arrangement of prisons and the books circulated therein; and a clear statement of the truth, however it may affect the individual publisher or gaoler, ought to be permitted. The truth is essential for the people, and it ought to come under the same category as privileged communications, which, however libellous, are, by the present law, exempt from punishment. It is said that even if the truth be allowed in defence, it will not be available for deductions or arguments, or for general attacks on the government. This may be partially correct, but the impossibility of making it available, in some cases, is no argument for refusing its use in all those cases to which it may be applied. And no apprehension need be entertained

of complete impunity to "the slanderers of private fame, the traffickers in individual vices and frailties, the inquisitors of domestic life, the foul-fingered gropers for details which ought never to meet the light." All these are good topics for idle declamation to stand in the place of argument, but the horde of slanderers, who live by buccaneering on the outskirts of literature, would be no more protected in their disgusting and useless trade, under the proposed law, than under the present.

Another principal feature in Mr. O'Connell's bill is, that it assimilates the law of libel to the law of slander in all actions for libel; and provides that when the damages are under 40*s.* the defendant shall have costs, as if the verdict were found for him; that if the damages do not exceed 20*l.* neither party shall have costs; that if the damages do not exceed 50*l.* the plaintiff shall have no more costs than damages: and that only in such cases as the damages shall exceed 50*l.* shall the plaintiff have full costs. The bill also remedies many other admitted defects in the present law. It requires in all indictments for personal libel that the prosecutor shall give the publisher notice to retract and contradict the libellous matter; and that, if before indictment found, the publisher shall fairly and unequivocally publish a retraction, in the same mode in which the libel was published, the publisher shall be acquitted; and that if he shall give up the name and residence of the author, the indictment against him shall cease, till the failure, by want of evidence, to convict the author; in which case the prosecution shall revive, and the publisher shall pay the costs of the proceedings against the author; that there shall be no special jury without the consent of the defendant; and that the counsel for the prosecution shall not be entitled to reply, unless the defendant call evidence, and then that the defendant's counsel shall have the ultimate reply. But none of the provisions of the bill, except the abolition of the initiative proceeding by information, are to apply to prosecutions for blasphemy, for libels on Her Majesty, or for obscenity; or affect the privileges of the two houses of parliament.

The disgraceful laws which enabled the judges to transport any person convicted of a libel for the second time, no longer disfigure the statute book; but even now the most arbitrary power of punishment exists. The judges still have an unlimited power of imposing pecuniary fines; any amount of fine must operate very unequally; to one man, the mere agent of a rich body of proprietors, the amount, however large, may be of no consequence, but a fraction of the same sum may utterly

ruin the country editor; and, with the safeguards proposed against improper convictions, the punishment might altogether omit a fine. The most capricious punishments have been awarded. The printer of a leading journal, to whose paper money is of no object, is fined 200*l.* and imprisoned for one month, within ten minutes' walk of his own office, with which he can have close communication. A country editor, who, by the liberality of his political articles, has rendered himself obnoxious to the country squires, who procure money from the Home-office for his prosecution, and who avow that no means should be spared to put down his paper, is incarcerated in the gaol of a distant county for six months, and subjected to a heavy fine. And, if they had so chosen, the judges might have added hard labour to imprisonment. Both Mr. O'Connell and the Maltese Commissioners seek to remedy this arbitrary exercise of power; and, for the reason we have given, we prefer the remedy of the commissioners, which abolishes the fine, and limits the imprisonment. This they have made too long; it might with safety be limited to six months, and it should be simple imprisonment. It is true, that punishments have, in practice, become much milder in modern times; but they may, without danger to the public, or injury to private character, be rendered still more mild.

Two points contained in the ordinance are overlooked by Mr. O'Connell. The ordinance prevents any punishment for the publication of duplicates of the same libel, and limits the time within which a prosecution can be commenced, to one year from the publication.

But neither plan provides a remedy for the present most objectionable system, which enables, after the conviction of the author or printer, every poor newsman, who happens, in the course of his trade, to vend a publication containing a libel, to be punished, although it is physically impossible that he can know the contents of one-hundredth part of the publications which he vends. And when an amendment of the libel law is made, it would be desirable to make a specific enactment against the seizure of papers, and against general warrants, already declared illegal by a resolution of the House of Commons.

These are the defects in the present law; a remedy is universally called for, the interests of the public imperatively demand it, and it must be no longer delayed.

The most well-considered improvements, however, in the law of libel, will not be sufficient to give all that latitude to political discussion, which in a free country is absolutely essen-

tial. A just and liberal construction of the law by those, who are made the judges, will be as necessary then as it is essential now. And it will equally be a question of deep moment with a prosecutor, whether in the majority of cases it will not be better to allow political libels to take their natural course, than to prefer an indictment against the author. This was the opinion of both parties—Whigs and Tories—in the reign of Queen Anne: they prosecuted but few of the libels published by the one party against the other: each party entered the same lists, and the keen wit of Swift was met by the able pens of Addison and of Steele. Such has been the opinion of other times; and among the list of unpunished and unprosecuted libellers, may be mentioned the names of Dryden, of Pope, of Burke, and of Johnson. Pope's saying of a judge of his day:—

“Hard words and hanging if your judge be Page,”
would scarcely be tolerated now; and, indeed, nothing can exceed the grossness of his libel on the well-known character of a nobleman, who was Privy-seal and Vice-Chamberlain, contained in the prologue to his *Satires*. We will quote only the concluding lines:—

“Amphibious thing! that acting either part,
The trifling head, or the corrupted heart,
Fop at the toilet, flatterer at the board,
Now trips a lady, and now struts a lord.
Eve's tempter thus the Rabins have exprest,
A cherub's face, a reptile all the rest;
Beauty that shocks you, parts that none will trust,
Wit that can creep, and pride that licks the dust.”

Such also was the opinion of the Attorney-general, afterwards Lord Mansfield, who, when Johnson's famous definition of the term excise—“a hateful tax levied upon property, and judged not by the common judges of property, but wretches hired by those to whom excise is paid”—was shown to him, immediately pronounced it a gross libel, but, at the same time, strongly recommended that no notice should be taken of it. That advice was followed: no notice was taken of that definition, or of No. 65 of the *Idler*, where Johnson described a commissioner of excise as—“one of the two lowest of all human beings.”

We might multiply instances of unprosecuted libels, the evils derived from which have been as nothing compared with the extended circulation which a prosecution would have ensured. “It is only in the ignorance of the people, and in

their consequent mental imbecility, that governments or demagogues can find the means of mischief." Every thing that tends to reduce this ignorance, and to make the people think and act for themselves, is a blessing to be fostered and cherished. Free discussion, as well in writings as in words, tends to produce this result; every state that fears it, affords a strong argument that its constitution is unsound. Free discussion can by no means hurt a good government,—it is scarcely powerful enough to work the overthrow of a bad one.

That right of free discussion has been hitherto guaranteed by juries; they acquitted Lilburne, who was twice indicted for a libel on Cromwell; they defeated the plans of former Tory Attornies-general; and, under any change or modification of the law, it will be still left for them to exercise that beneficial influence thus eloquently referred to by Sir James Mackintosh, in his defence of Peltier:—

"These petty states (the states of Germany), these monuments of the justice of Europe, the asylum of peace, of industry, and of literature, the organs of public reason, the refuge of oppressed innocence and persecuted truth, have perished with those ancient principles, which were their sole guardians and protectors. They have been swallowed up by that fearful convulsion, which has shaken the uttermost corners of the earth; they are destroyed and gone for ever. One asylum of free discussion is still inviolate. There is still one spot in Europe where man can freely exercise his reason on the most important concerns of society; where he can boldly publish his judgment on the acts of the proudest and most powerful tyrants. The press of England is still free. It is guarded by the free constitution of our forefathers; it is guarded by the hearts and arms of Englishmen; and I trust I may venture to say, that, if it be to fall, it will fall only under the ruins of the British empire."

ART. XI.—*Summary Review of French Catholic Literature from April to October 1839.*

THEOLOGY AND PHILOSOPHY.

Theologia dogmatica et moralis; 2 vols. 8vo. (10 fr.) This work has been written by Monsignor Perocheau, bishop of Maxula, for the use of the missionaries of the province of Su-Tchuen, of which he is Vicar-Apostolic. Before his departure, he taught theology for six years in the seminary at La Rochelle. The present work, composed amidst the labours and trials of that distant mission, contains an abridgment of those points of dogma and morals, which are of great-

est importance to its clergy. The zealous author has spent eighteen years of his life among them, and is, in consequence, well acquainted with their wants. The work may also prove acceptable to the clergy of other countries, as it contains many of the decisions of the congregation *de Propaganda Fide*, which are difficult to be met with. To the same congregation, the work itself has been submitted, and by its order revised by a committee of theologians, whose corrections are embodied in it.

Œuvres de M. l'Abbé Merault, Vicaire-Général d'Orléans, 19 vols. 12mo. 33fr. This collection comprises various works of education and religious instruction, as well as a defence of the Christian religion against the attacks of infidels, whom he refutes from their own writings. The present series contains *Les Apologistes involontaires*, or Christianity proved and defended by the very objections of its enemies; (1 vol. 12mo.); *Les Apologistes*, or a defence of Christianity by Christians and infidels, also in one volume; *Voltaire apologiste de la Religion Chrétienne*, 1 vol. 8vo; *Conjuration de l'impiété contre l'humanité*, in which he proves that the happiness and prosperity of nations, can only be secured by withdrawing them from infidelity, and placing them under the guardianship of religion. The only educational work published in this series is, *Selectæ de novo è Profanis Scriptoribus Narrationes ac Sententiæ hisce temporibus accommodatæ*, 4 vols. 12mo. Any work of the whole collection may be had separate.

Sagesse de l'Eglise Catholique dans la Canonization des Saints, 1 vol. 18mo. (1fr.) Par M. H. de Bonald.

Vie de Jésus Christ, Dieu homme, translated from the Spanish of father Ferdinand de Valverde, 5 vols. 8vo. 10fr.

Le Christianisme, 1 vol. 12mo. 2fr. This is a translation, by M. Taillefer, Inspector of the Academy of Paris, of Dr. Poynter's *Evidences of Christianity*. "A service has been rendered to our literature," says the learned ecclesiastic appointed to examine the work by the Archbishop of Paris, "by the translation of this work into French."

La Religion Méditée, à l'usage des personnes qui cherchent Dieu dans la simplicité de leur cœur, en particulier de celles qui se dévouent à l'éducation des enfants, 2 vols. 18mo. 4fr. Par M. l'Abbé Rohrbacher.

Le Cantique des Cantiques en vers Français, d'après l'Hébreu, avec le texte de la Vulgate annoté, et l'interprétation conforme à l'orthodoxie. Par A. Guillemin, 1 vol. 8vo. 10fr.

De la Jurisdiction de l'Eglise sur le contrat de Mariage considéré comme matière du sacrement, 1 vol. 8vo. 4fr. The author of this work refutes the opinion of those who charge the Church with having established its jurisdiction over matrimony, upon false or obscure authorities. He undertakes to prove that our Blessed Saviour, in rais-

ing marriage to the dignity of a sacrament, could not have intended the civil authority to be the sole judge of its validity. He next shows, from the rules laid down by the apostles, that our Saviour has left his Church a real jurisdiction on this head. This prerogative was formally admitted by the councils and fathers of the first eight centuries, and the Church has in all ages used it, without prejudice to the temporal power. This edition contains, moreover, an essay on the *false decretals*, commonly ascribed to Isidorus Mercator or Peccator. In it are described the principal differences that distinguish it from other collections of decretals; the author's object is next explained, and his work is shown to have made no change in the discipline already existing in the Church.

Jurisprudence et Administration, 1 vol. 8vo. 4fr. 50c. M. Dieulin, Vicar-General of Nancy, explains in this work the duties and offices of curates with respect to the temporal administration of parishes. It is divided into six parts; the first contains the laws regarding parochial edifices; the second, entitled the *Jurisprudence of Worship*, presents us with remarks upon the construction and embellishment of churches; the sanctification of the Sunday, processions, cemeteries, dispensations, &c. The *Jurisprudence of the Clergy* forms the third section, in which are explained the leading points connected with the temporal position of the clergy, their rights, provisions, &c. The fourth part embraces the *Jurisprudence of Schools*; and the fifth is a collection of the formularies and instruments required in the offices of religion. The sixth part contains the laws, ordinances, and other documents, from which the rest of the work has been drawn. Seven plates, executed from the designs of M. l'Abbé Morel of Toul, offer various specimens of plans, and entrances of churches, confessionals, pulpits, and funeral monuments.

Essai sur la Philosophie du Christianisme considéré dans ses Rapports avec la Philosophie Moderne, 2 vols. 8vo. 14 fr. par M. l'Abbé Cacheux.

Recherches Psychologiques sur la Cause des Phénomènes Extraordinaires Observés chez les Modernes Voyants, 2 vols. 8vo. par M. Billot, docteur en médecine. This writer embraces the opinion that magnetizers act in concert with good angels, and although this opinion may appear surprising, it must be admitted that the work contains many curious facts worthy of notice, and that it proceeds from the pen of a conscientious and upright observer.

Manuel de Médecine et de Chirurgie, à l'Usage des Sœurs Hospitalières, 2 vols. 8vo. 15 fr. The object of the excellent author is to offer a manual of medicine and surgery, for the use of charitable persons in their attendance on the poor, in which all that is essential may be found, without any details or expressions which may offend delicacy, or prevent those charitably inclined from entering fully into the study.

BIOGRAPHY AND HISTORY.

Vie de S. Vincent de Paul, 5 vols. 12mo. 9 fr. par Louis Abelley, Evêque de Rhodéz. This work needs few eulogiums. It is written by one who lived with the saint, and who shared his apostolic labours; he transcribes his own words, and paints the apostle of charity and mercy in his own simplicity, humility, and modesty. The present edition contains the letters of Bossuet, Fléchier, and of Fénelon, to the pope, to obtain the canonization of the saint; the bull for his canonization; and passages from the best French writers on the establishments of charity instituted by St. Vincent.

Pouvoir du Pape sur les Souverains, au Moyen-âge, 1 vol. 8vo. 4 fr. The object of this work is to prove that the popes during the middle ages were fully borne out, in their exercise of the temporal power with respect to the deposition of princes, by the public law at that time existing, and that they only acted in conformity with its principles.

Histoire Civile et Religieuse des Lettres Latines au Quatrième et au Cinquième Siècle, 1 vol. 8vo. par M. F. Z. Collombet. The author examines the Pagan and Christian literature of the fourth and fifth centuries, and his work is a strong refutation of the assertion of Gibbon, that the introduction of Christianity was the signal for the decay and fall of literature and eloquence. M. Collombet shows that the fall of learning was stayed rather than hastened by Christianity; and if we examine the pagan works of the time, we shall find them full of false taste, and deeply imbued with the profane spirit of the times; whilst the Fathers and Church writers of the same period,—St. Hilary, St. Jerome, St. Ambrose, St. Augustine, and Lactantius,—are energetic, imaginative, and powerful. The author reviews successively the poets, historians, philosophers, theologians, orators, rhetoricians, and learned men. This classification adds to the clearness of the work, but injures the unity of the picture.

Atlas Historique et Chronologique des Littératures Anciennes et Modernes des Sciences, 1 vol. fol. M. de Mancy, professor of history in the Academy of Fine Arts, has undertaken, in this publication, to supply a deficiency in the *Historical Atlas of Lesage*, by publishing an atlas of the labours of learned men, the productions of art, and the interesting discoveries of all ages and nations.

Histoire de France. This work will extend to six volumes, two of which have already appeared. M. Laurentie proposes in it to attain a twofold object,—to show the influence of Catholicism upon the rise and formation of the kingdom of France, and to trace the old national spirit in the development of the people. The history he divides into three epochs,—the first reaches to St. Louis, the second to Henry IV, the third to our times. In the volumes already published, we have the irruption of the Gauls into Italy, and the

taking of Rome; the wars of Cæsar, the union of the Gauls with the Roman empire, and their common devastation and fall; the settlements formed by a portion of the barbarian invaders, and the deliverance of the nation by Clovis and his Franks; the conversion of the latter, and the wars and troubles that followed the death of Clovis. Then succeeds a new family, with its chiefs, Charles Martel, Pepin of Heristal, and Pepin the Short, whose spirit and energy shone in all their splendour in Charlemagne. M. Laurentie's work is written in a truly Catholic spirit.

La Chronique de Reims. M. Paris, archivist of the City of Reims, deserves well of his native city for the publication of this chronicle. It was discovered by his brother in the Bibliothèque Royale, who gave it the name of the *Chronicle of Rheims*, from the frequent and detailed accounts which it contains of the history of that city. Besides other materials, it supplies valuable information connected with the history of France and England. It confirms the suspected account of the resignation of the crown, proffered by Philip Augustus to his barons, before the battle of Bouvines. It mentions, moreover, a war of Richard Cœur de Lion against the Spaniards, and describes at length the wanderings of Blondel, his minstrel, to discover the prison in which his master was held by the Duke of Austria, and his journey to England, to inform the barons where he was detained; the embassy to the Duke, and the ransoming of the King. "Ensi avint," adds the chronicler, "que li rois Richars fu raiiens; et fu recheus en Engleterre a grant honneur: mais sa terre en fut moult grévée et les églises del regne, car il lor convint mettre jusques as calices, et cantèrent lonc tans en calices d'estain."

De la Conquête de Constantinople. M. Paulin Paris, the brother of the editor of the work just mentioned, has published this account of the taking of Constantinople by Geoffrey Villehardouin and Henry of Valenciennes, after collating it with the ancient manuscripts. The first edition of *Villehardouin's Chronicle* was published in 1573, by the Republic of Venice, which had shared with France in the glory of the conquest three centuries before (1204).

† *Vie de S. Alphonse—Marie de Liguori*, 1 vol. 8vo. 4s., 1 vol. 12mo. 2s. 50c. Par Mons. l'Abbé Jeaneard.

Les Vies des Saints de la Bretagne Armorique, par Albert-le-Grand. In one hundred numbers, 8vo. (5 sous each.) The whole of the work has appeared. The same subject has been treated in a different form by Don Lobineau, a writer of the last century, in his *Vies des Saints de Bretagne, et des Personnes d'une éminente piété qui ont vécu dans cette province*, which has been reprinted by the Abbé Tresvaux, in six volumes, 8vo. (30frs.)

Abrégé de la Vie et Discours sur la Mort de la Mère Marie Augustine-de-Saint-Élie. (1fr. 25c.) This model of piety and religious po-

verty and mortification was born at Bressols, near Montauban, in 1801. She entered the Carmelite order in the latter place in 1820, and died in the odour of sanctity in 1835. From her infancy she gave evidence of those virtues which were the ornament of her life.

Buhez Sanctez Nonn, is an ancient mystery, or religious drama, in the Breton language. It contains the History of St. David of Menevia, and his mother, St. Nonn. A literal translation by the late M. Legonidec has been added. This gentleman was the author of a grammar and dictionary of the language of Lower Brittany, as well as of other works published in the same idiom. Three hundred copies only have been printed of the present work.

E Conciliis totius Orbis Christiani, excerpta historica et dogmatica collegit, edidit et adnotavit Ludov. de Mas Latrie. Accedunt Geographiæ Episcopalis breviarium et syllabi conciliorum quamplurimi tam alphabetici quam chronologici necnon geographici, explentur glossario verborum mediæ et infimæ Latinitatis, et indice rerum omnium locupletissimo.

Chronologie historique des Papes, des Conciles Généraux et des Conciles de France, par M. Louis de Mas Latrie. 7fr. 50c. Or with the portraits of the Popes, in lithograph, 12fr.

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Mois de Mai consacré à la Gloire de la Mère de Dieu. 60c. Approved by the Bishop of Rhodéz.

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Instructions Chrétiennes pour les jeunes gens. 12mo. 1fr. 15c.

Le Chrétien fidèle à honorer Marie par la Méditation de ses Litanies, 4fr. With fifty-two lithographic prints.

Bibliothèque de l'Enfance; being a collection from the religious and moral stories of Canon Schmidt, and forming 80 volumes, in 32mo. each 30c. or 24fr. for the whole collection.

Souvenirs d'une Education Chrétienne; 12mo. 2fr. 50c.

Essai sur l'Existence de Dieu, ou Réfutation du Matérialisme par le Raisonnement, à l'usage des gens du Monde; 1 vol. 12mo. 3fr. M. de Pietri proves the existence of God from the harmony of the elements, the consent of all nations, the idea of infinitude, the existence of man, and the existence of society, which would be impossi-

ble without a supreme reason, from which its mutual relations should proceed. The second part of the essay proves the spirituality and immortality of the soul.

Exposition de la Doctrine Chrétienne; 1 vol. 12mo. pp. 284. M. Regnet divides his exposition into two parts; in the first, he treats of the primitive and Mosaic revelation; proving the existence of God, and the conformity of the Mosaic account of the creation, with modern science: the second part establishes the divine origin of Christianity, the authority of Scripture and the Church; the author then explains the doctrines, morality, and manner of worship ordained by the Christian religion. A history of sects and heresies is added, in the form of an appendix.

Catéchisme des Sourds-muets qui ne sarent pas lire, 35 engravings, 16fr. 50c. by the Archbishop of Toulouse.

Bibliothèque Catholique de Lille, 260 volumes, 18mo. 72fr.

Explication historique, dogmatique, et morale du nouveau Catéchisme du Mans. Par M. l'Abbé Guillois, 1 vol. 12mo. pp. 725, 2fr. 50c. Besides a dogmatical and moral explanation of the catechism, M. Guillois has inserted many narratives to illustrate the truths which he explains.

Le pieux Helleniste. Par H. Cognet, 1 vol. 18mo. 2fr. 60c. A collection of prayers in Greek and Latin.

ART, POETRY, AND MISCELLANEOUS.

La Pologne Illustrée. This work will form sixty numbers, in large 8vo. and will be embellished with engravings on steel. The profits arising from it are to be applied to the relief of the unfortunate Polish Refugees. The first numbers contain the Journal of James Sobieski, father of the celebrated King John Sobieski, during a journey in France and Germany. The work is one of merit and interest. The price of each number (published every ten days) is 25c. for Paris, and 35c. by post.

Un souvenir du Passée religieux de la France, ou l'Eglise de la vieille Abbaye de Nantua. Par M. Gache. A work of literature and art, rich in its execution, and full of conscientious research. The author unfolds the harmonies of Christian art and the deep meaning of its parts.

La Lyre de Marie; or, the Glorified Life of the Blessed Virgin, with seventy-five canticles in her honour. By M. l'Abbé Le Guillou. 1 vol. 18mo. 3f.; or, in two volumes, with five vignettes, and music for three voices, 15f. This work has received the approbation of the Archbishop of Tours.

Douze Cantiques à Marie. By the same. 18mo. with the music, 2f. 25c.

Poésies. Auguste Arnaud, the author of this little volume, has left to us the inspirations of his youth, and thoughts occurring to his mind amid the fresh and lively scenes of his schoolboy days. He died at the early age of twenty-one years, of consumption, hastened by excessive study in preparing for an examination previous to entering the Normal school.

Dante et la Philosophie Catholique au Treizième Siècle, 1 vol. 8vo. 4f. 50c. M. F. Ozanam examines the relations of the philosophy of Dante's *Divina Commedia* with the philosophy of the ancients, of the schoolmen, and modern systems; and, finally, the position of Dante with regard to religion. The work contains a series of extracts from St. Bonaventure, St. Thomas, Albert the Great, and Roger Bacon, illustrative of the philosophy of Dante.

De l'Etat Présent et de l'Avenir des Principautés de Moldavie et de Valachie, 1 vol. 8vo. 8f. The proceeds of this work are to be applied to the redemption of captives in Moldo-Wallachia. The author, M. Felix Colson, has added to it the treaties between Turkey and the European powers, and a map of the country.

Coup-d'œil sur l'état des Populations Chrétiennes de la Turquie d'Europe, 2f. By the same author.

Le Comte de Varfeuil. M. d'Exauvillez describes in this book one who, oppressed by misfortunes, and suffering from the loss of all that are most dear, instead of yielding to despair, supports courageously and virtuously the will of Divine Providence, and waits patiently for the day of mercy and consolation.

Mémoire pour le Rétablissement en France de l'ordre des Frères Prêcheurs. M. Lacordaire assigns in this pamphlet the reasons which have induced him to hope for the restoration of the order of St. Dominic in France.

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